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Containing the freshest Advices, Foreign and Domestic.

MONDAY, APRIL 10, 1769.

By Captain Story, arrived at Philadelphia, in six Weeks from London, we have received the following fresh Advices, viz.

VIENNA, January 18.

THE last letters from Constantinople leave no hopes of a reconciliation between the Porte and Russia. The former has gone too far to alter its resolutions, unless the other would renounce its engagements with respect to Poland, which is not likely.

LONDON,

Feb. 1. The witty Lord Wharton, on the expulsion of Bishop Atterburry, said, he had already lived to see that but two things were out of the power of the British Parliament: one was, to make a man a woman: the other, to frame an oath that a courtier would not swallow.

We are informed, that six ships of the line are to be added to the formidable fleet now fitting out for the Mediterranean, for the 6000 troops we are obliged, by an article of the late peace, to furnish a certain great power on the continent whenever she is attacked, and that the British fleet will sail to Constantinople.

Yesterday at twelve, Mr. Wilkes arrived at Westminster from the King's Bench, and was conducted by the Marshal from the coach up the stairs leading to the House of Commons (which with the passages and avenues were vastly crowded) to the apartments of the Serjeant at Arms. The populace gave him three huzzas on his getting to the top of the stairs.

Feb. 3. The repeated victories obtained over the French by the Corsicans are by no means surprising, as the former fight unwillingly to *make slaves*, while the latter act with the most determined bravery, in order to *remain freemen*.

It is imagined by the most serious calculators, take this whole kingdom through, the friends of the popular prisoner are to his enemies in the full proportion of twenty to one. What man can desire a greater share of popularity!

It is now become fashionable for the ladies to drink patriotic toasts: Those already come to hand are, Lady Temple, Lady Cambden, Lady Saville, Miss Wilkes, Mrs. Hayley, and Mrs. Macaulay.

Feb. 4. Mr. Wilkes's behaviour, on a solemn occasion, was acknowledged, even by his opponents, to be firm, manly, decent; revering, but not crouching.

Feb. 6. A new writ is issued out for a Member for Guilford, in the room of Sir Fletcher Norton, Knt. whose patent was made out on Friday as Lord Chief Justice in Eyre.

We hear Humphry Coats, Esq; who has been very strenuous in the cause of a popular patriot is gone down to Guilford, to offer himself a candidate.

Saturday morning a certain Patriot lost his Seat in a certain Assembly.

Mr. Wilkes has lately received the collection of books, medals, and drawings, left by the Baron de Winckleman, who was lately murdered.

By a letter from Paris, dated Jan. 23, we hear that they have received no news of any consequence from Corsica, but that great preparations are making for an entire conquest of those stubborn islanders early in the next spring; several regiments, whose battalions have been completed, have received orders to file off towards Provence, to embark on board a number of transports at Toulon, which are destined for Corsica.

Feb. 7. We hear that John Wilkes, Esq; is totally excluded from sitting in the present Parliament, notwithstanding what may be asserted to the contrary.

It is confidently asserted that no person, who has been expelled, can have a place during the parliament in which he was so expelled. It is said it took rise on Sir R—— W——'s being re-chosen after expulsion.

WILLIAMSBURG, Feb. 23.

Extract of a letter from London, dated December 30.

"It was proposed in the House of Lords, and carried, that an order should be sent to Boston for Governor Bernard to send Messrs. Cushing and Otis, and as many others as he thought proper, over to England, as state prisoners, to be tried for high treason; but on further deliberation, and considering what might be the event, it was thought proper not to be put in execution, and so dropped.

"Doctors Lee and Blair both exert themselves in behalf of America, who have frequent opportunities of conversing with men in power.

"There is great reason to believe that peace and tranquility will soon be restored to America."

PHILADELPHIA, March 27.

Extract of a letter from London, dated January 28, 1769.

"It gives me great concern to acquaint you the parliament have come to resolutions of a most vindictive nature, with regard to the misunderstanding now subsisting between us and America; and are determined to order over here some of the most active Men at Boston to answer a Charge of a very dangerous Tendency, and also to enforce the Acts (which are so disagreable to you) to the utmost; in Consequence of this, few or no Goods will be shipped to N. America, except to your Province."

Mr. GODDARD,

As Mr. Wilkes's Address may be agreeable to the Public in America, and has not been inserted in any of the London Papers, I have taken the Opportunity of sending you one by Capt. Story. It was printed in Hand-Bills, and dispersed amongst the Freeholders of Middlesex, immediately after his late Expulsion, and I do assure you the Contents not a little engage the Public's Attention. Many of his Friends are now canvassing for him, and it is the general Opinion he will be re-elected.

Your Friend, &c. N. L.

London, Feb. 5, 1769.

To the Gentlemen, Clergy, and Freeholders of the County of Middlesex,

GENTLEMEN,

THE proceedings of yesterday in the house of Commons fill me with the deepest concern, and I can truly say, much more on your account than my own. I cannot be deprived of the glory of having been chosen a Representative in Parliament for the first County in England; but I feel with anguish of heart, that the present ministry have found means to suspend for some time the plan of usefulness, to my constituents, and service to this kingdom, which I had meditated. What adds however the most to my grief, is the melancholly reflection that by my expulsion the Ministry have thus openly shewn that they entertain no scruple of violating the sacred Rights of the People, even in the most important case, that of having a Deputy nominated by themselves to the great Council of the nation. They have in the instance of yesterday robbed a very respectable part of this kingdom of their noblest inheritance, of their share in the Legislative power. No set of men in this country, have hitherto ventured so grossly to abuse the trust reposed in them, nor to give so fatal a stab to the vitals of our country. The threatning aspect of all our public affairs does not present any thing equally alarming, except in the late instance of Russians hired to be your assassins, and the murderers of the constitution at our last county election, whom public justice and an honest English Jury have hitherto in vain sentenced to death. (a) I think with horror on what we may in future dread for the Liberties of all the Commons of Great-Britain from so despotic an administration, if our gracious Sovereign should much longer continue to them the power of the State.

Permit me, Gentlemen, to repew to you the assurances of inviolable attachment to your service and the cause of Liberty, to which my life is dedicated. My courage is not appalled, nor my spirit in the least abated. I will carry with me to the grave an unshaken fidelity and ardent affection to you and to this country, an invincible hatred and opposition to its enemies. I hope still to give you further proofs of my sentiments by my parliamentary conduct. I flatter myself that the relation between us, which subsisted yesterday, altho' now dissolved by the violence of arbitrary ministers, will in a short time again take place. Every mark of your regard I shall value in a high degree, and I trust that my conduct will convince you, that I am not quite unworthy of the choice, which I have now the honor of humbly soliciting.

I am strongly influenced on this occasion by a particular reason, which strikes me very forcibly, and I believe will have the greatest weight with you. It is, that by a second choice of me for this county, you, Gentlemen, the independent Freeholders, will assert the clear Right you derive from the constitution, of naming your own Representatives. If Ministers can once usurp the power of declaring who *shall not* be your Representative, the next step is very easy, and will follow speedily. It is that of telling you, whom you *shall* send to Parliament, and then the boasted constitution of England will be entirely torn up by the roots. The Parliaments of Great-Britain will become not only as insignificant as those of France, a meer State-engine of government, but a grievous burthen and infinite mischief to the nation. The present great crisis affords the opportunity of asserting your most valuable privileges, and of shewing yourselves superior to the insolent mandates of a minister, who has the presumption to treat Englishmen as slaves.

The Rights of this free kingdom, Gentlemen, have been frequently violated in my person. You have now in me the opportunity of vindicating them, and I hope without the reproach of vanity I may add, that my firmness in the support of our common Liberty, under circumstances equally perilous and intricate, has secured me your confidence, and will be considered by you as a proof that you may again safely honor me with this fresh testimony of your esteem, the chusing me a second time the Representative of my native County in Parliament.

I am, GENTLEMEN,
With true Regard and Gratitude,
Your most obedient, and
Affectionate humble Servant,
JOHN WILKES.

Extract of a letter from London, dated Feb. 3.

"Balf and M'Quirk, the two chairmen concerned in the riots at Brentford, were tried for being present at, and aiding and abetting, the murder of Mr. George Clark. The evidence against them was short, clear and positive; they were both convicted, and received sentence of death. Since which they are *both* respited during his Majesty's Pleasure." (a)

PHILADELPHIA, March 23.

Last Friday a number of the sons of St. Patrick, met at house of James Byrne, in this city, to celebrate the anniversary of that Saint, where an elegant dinner was provided, and the afternoon spent in chearful mirth and jolity, the following toasts being drank. 1 *The pious and immortal memory of St. Patrick.* 2 *The King.* 3 *The Queen and Royal Family.* 4 *The Governor and Province.* 5 *Lord Chatham.* 6 *Lord Camden.* 7 *General Conway.* 8 *Mr. Bourke.* 9 *Col. Barree.* 10 *Mr. Wilkes.* 11 *Serjeant Glynn.* 12 *Paschal Paoli & the brave Corsicans.* 13 *Mr. Dulaney.* 14. *Mr. Otis.* 15 *Mr. Richard Penn.* 16 *The Friends of America in the British Parliament.* 17 *A Constitutional Connection between Great-Britain and the Colonies.* 18 *The true Sons of Liberty in America, and the friends of it throughout the World.* 19 *May every constitutional Effort of the Americans to preserve their liberty be crowned with success.* 20 *May the sons of St. Patrick ever distinguish themselves by their attachment to the glorious cause of Liberty.* 21 *All the American Assemblies, who have treated a late ministerial mandate with the contempt it deserved.* 22 *Honours & Halters where due.* 23 *Success to American manufactures.* 24 *May the liberty of the press remain free from ministerial restraint* 25 *Hammond's fate to Governor B——d.* 26. *May Arbitrary Power and Passive Obedience be always detested by Americans, and the Sons of St. Patrick.* 27. *The Glorious Ninety-two Non-Rescinders.* 28. *May the memory of those Sons of America, who by their writings have so clearly and unanswerably defended the liberty and rights of their country be held in the highest veneration to the latest posterity.* 29. *May Union, Love and Loyalty always characterise the Sons of St. Patrick.* 30. *May no tyrannical ministers ever be able to entail slavery on America or the Sons of St. Patrick.* 31. *May Irish ministers who support illegal taxation be deemed illegitimate, and be excommunicated from Heaven by St. Patrick.* 32. *May all authors who by their writings support the cause of Liberty be introduced into Heaven by St. Patrick.* 33. *May every Villain however dignified, who by their Calumny and misrepresentations have endeavoured to enflame the Mother against her Children meet the fate they deserve.* 34. *Liberty and Property.* 35 *Magna Charta and the Bill of Rights.* 36. *May the 17th of March be always venerated by the Sons of St. Patrick, and every succeeding one celebrated with as much pleasure as the present.*

Several patriotic gentlemen being present, could not be particularized.

NEW-YORK, March 30.

We are obliged to a Friend for the following Intelligence from the latest Papers, &c.

Arrived at Philadelphia; Ship Unity, Story, from London, in 6 weeks; and Ship Pennsylvania, Falconer, from London, in 6 weeks. By the above Vessels came Papers to the 7th Feb. and all Accounts agree, that the Parliament will not redress our Grievances this Session, though they are convinced that the Acts are wrong.—— American affairs were put off till the 10th of February when it was expected some Resolves would be made against us.

Mr. Wilkes has taken up much time of the Parliament, and on the 4th of Feb. about 3 in the Morning he was expelled the House.——He sets up again for Middlesex, and has printed a spirited Address to the Freeholders of that County.—His Election for an Alderman was also set aside by the Court of Alderman and Common Council, but was again elected, no Person setting up against him.—And it is thought no one will attempt to oppose him at the Election for Middlesex.

The Brave Corsicans hold out well, but the Papers say that France is marching 30,000 Men to be ready to embark for that Island.

Governor B——d Letters have been read, which are said to be very inflammatory, and makes the People of N. E. to be Rioters and every Thing that is bad. (g)

I just now see an account from London which says that they were in hopes that the R—gh—m Party would soon come into the Ministry who would repeal the Acts we complain of.—That L. H—b—gh says the Acts are bad, but will not repeal them while America denies their Right.—That the Tide was turning in our Favour, That the M—try are heartily sick of taxing America, and only want to save the Honour of Parliament, to get rid of them.—And that if we stick close to the Non-Importation of Goods, as the Manufacturers were *beginning* to complain,——they seemed to think the Ministry would be obliged to repeal them the latter End of the Session.

Extract of a letter from London, dated January 29.

"I am sorry to acquaint you, that we have no reason to expect any Change of Measures in Favour of America, during the continuance of the present Ministry, who are Objects of almost *universal hatred and Contempt*.—Mr. Wilkes has been expelled the house of Commons, and the Bench of Aldermen; but has been again unanimously elected Alderman, and it is not doubted but he will be so as a Member for the County of Middlesex.—There appears at present no likelihood that England will soon be engaged in any War abroad."—

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(a) vid. pa. 424. See the Prict. (b) vid pa. 149. (c) pa. 157—161 (d) a Fling at L^d Hillsborough an Irishman. (e) vid. magna Charta, pa. 790. (f) vid. Bill Rights pa. 1053. (g) vid his Letters pa. 463 & 831 &c. (h) pa. 456.

By Captain Lyde who arrived here last Saturday in Nine Weeks from London, by whom we have the following Advices, viz.

LONDON, January 18.

Extract of a letter from a gentleman at Boston, to his friend in London, dated Dec. 3.

"I arrived here about three weeks ago from Halifax. Notwithstanding what you may have heard of the disturbances at Boston, be assured they never were formidable: had there been a single company of soldiers, with a good officer at their head, in the town of Boston, and a frigate in the harbour, the force would have been sufficient to have prevented or quelled every disturbance that has happened here since passing the stamp-act. (a)

"As far as words will go, and no farther, will they oppose government. They deny the authority of every act of parliament that makes against them, and claim the protection of every act that favours them.

"You are much mistaken, if you think they want the fleet and army removed; they begin already to feel the sweets of the money that is spent among them: and don't be surprised, if a few months hence you hear of its being voted in a town meeting of Boston, to petition General Gage and Commodore Hood, for the continuance of the troops and ships of War among us; and should they be all withdrawn, the people will make fresh riots to endeavour to bring them back."

The people of Massachusetts-Bay have long been discontented with the administration of their Governor, and suspected him of the most malevolent disposition towards the province; and if, as Cassius has asserted, in your paper of the 2d, he did actually inform the Ministry, that five hundred men had been selected at Boston to seize Castle-William, think he ought to be deemed an enemy to the province over which he presides, and a public incendiary; and that his recall ought to be the first step towards a reconciliation with the colonies.

The following are the principal authentic particulars of the trials of Lawrence Balf and Edward Quirk, the two rioters at Brentford, for the murder of George Clarke, whose trials commenced on Saturday morning last, at the Old Bailey, and were finally determined on Monday evening, at five o'clock.——In the course of this trial, on Saturday, a question arose—Whether some discourse between Mr. Allen, and a certain unpopular candidate (which seemed to bring a charge of a very dark nature home to the latter) was permissable to be given in evidence on that occasion, as it may affect him in case an indictment should be preferred against him? But the Judges unanimously concurred in opinion, that the witness may, with propriety, recite the conversation, because it may lead to prove the guilt of the prisoners. Clarke, a witness produced for the prisoners, in the above affair, swore very freely at first; but in his cross-examination, it appeared that he was hired by Broughton, a yeoman of the guards, previous to the day of election, along with ten others, who mostly appeared to be chairmen, and servants out of place: their hire, he deposed, was a guinea each, and the purposes of their being sent was to keep the peace, and assist Sir W. B. P——'s friends. On being interrogated whether he associated with any of the constables or civil officers; or whether his directions were to that end? he answered in the negative. What is worthy observation in this evidence, that though he was produced for Balf's defence, he proved to be the only one that could possibly affect his life. Many evidences appearing in Balf's favour, it only appearing that he was rather drawn in than a principal, his council considered it as unnecessary to examine a number of creditable housekeepers, who were ready to be produced to his character. The Judge was very humane in his charge to him; and it seemed to be a disappointment to some in the court, when the verdict was pronounced, *Both guilty*.

After the trial, it was moved by the prisoners council, that there was a flaw in the indictment, by the Grand Jury's erasement of these words, *aiding and assisting*, and begged that it might be debated previous to the court's passing sentence, which was granted; and Monday morning, about eleven o'clock, it came on.

The council for the prisoners were Serjeant Burland, Mr. Walker, and Mr. Murphy. The Serjeant opened it by making several ingenious and critical observations on the nature of what as might appear to be erasements, were not in fact so; in particular that of a person signing his name, and very often drawing a line across it; which, though it may look like an erasement, was no more than what was very usual, and did by no means invalidate the signature. Mr. Murphy and Mr. Walker made use of similar arguments. Serjeant Lee, on the other side, remarked, that these arguments were rather ingenious than substantial, and concluded with observing, that by its being returned *Billa Vera*, was fully sufficient; and that the erasements must be looked upon as intended. The arguments on both sides continued for near four hours, when Mr. Justice Aston and the Recorder gave their opinion to the following purport: Judge Aston humanely observed, that in a case where he lives of two persons were concerned, he would not at once pretend to determine without the clearest conviction. He said he had previously weighed all the circumstances very minutely, relative to this affair; and had the pleasure of having his opinion corroborated by Lord Chief Justice Parker, Justice Gould, and Mr. Recorder; he was therefore clear, he said, in the indictment being valid. He further corroborated his opinion by several precedents of a similar nature; and concluded with an observation of that great lawyer, *Hale*, "That the picking out flaws in indictments, whereby Justice was evaded, was a scandal to law, a degradation to justice, and a dishonour to God."

Mr. Recorder then proceeded to pass sentence; previous to which he hoped that the fate of these two unhappy persons would be a warning to all rioters; as nothing, he said, could be more destructive to the laws of society, particularly to election, the essence of English freedom; and that the *procurers* (if any were, however dignified) as well as the *procured*, were not exempt, by our laws, from this catastrophe.

Though the justice of the sentence of these unhappy men is unquestionable, yet surely those persons who clapped hands, and hollowed in the gallery at the Old-Bailey [illegible] the author and publisher of what this house has resolved to be an insolent, scandalous and seditious libel, and who has been convicted in the court of King's Bench, of having printed and published a seditious libel, and three obscene and impious libels, and, by the judgment of the said court, has been sentenced to undergo twenty two months imprisonment, and is now in execution under the said judgment, be expelled this house."

The resolution was carried, upon a division, by 219 to 137, and a new writ is issued for electing another member in his room. But as they passed no vote of disqualification, he will doubtless be re-chosen, and in that case this business will be, in part, to do over again; so far I mean, as respects the propriety of his sitting in the house.

George Grenville was among those who voted against his expulsion; observing, that upon the first point, respecting Lord Weymouth's, it was an offence against a private man, and was cognizable and punishable by the common law; and that with regard to the other two, he was now suffering the judgment of the court of King's Bench; that he wished lenitive measures to be followed, in order to quiet the minds of the public, and to render him of no consequence, and that Wilkes himself was so sensible of this, that he wished for nothing more ardently than persecution, and would be disappointed, if he had it not. Thus this matter stands at present.

February 7, 1769.

"Things draw towards a crisis; the ministry blamed by all moderate men—The minority increasing fast—The city of London meet this week to give instructions to their members—Many other counties probably will follow the example, and I hope moderate and constitutional measures will prevail, probably not without some further struggles. The proceedings relating to America will be taken notice of."

Extract of a Letter from Gibraltar, Feb. 3.

"An order has been lately transmitted from the Secretary of State's office, to the governor of this place and Minorca, and all the Consuls in Portugal, Spain, and Italy, to inform themselves of all the American vessels that call at their respective ports, the cargoes they bring, and those particulars to the said office."

The other Accounts we have, relative to American Affairs, are in general, That tho' there be no immediate Prospect of Redress, yet that the wished for period, it is thought, is nearer than many imagine; for it is observed the Opinion, which had but too generally prevailed, of raising Taxes on America, seems given up by many, from a Perswasion of its being erroneous, and by others, as a Measure that will not answer the intended Purpose—That, therefore, altho' there be no Probability of P——t reversing the Declaratory Act, *it is not likely that any M——y will hereafter attempt to make Use of it to the Purposes of Charles Townshend; and that that Burthen it is believed, will soon be removed.*

That the present Opposition to the immediate Repeal of the late Revenue Act, arises from the Offence taken at its being insisted on with Threats from this Side, which is considered, by some of our zealous Friends in P——t as an improper Measure, and inclines them less to countenance an immediate Redress, tho' they have it warmly at Heart to be done in, what they call, "a due Time." That, however, it is thought, it will be effected; and that the Continuation of prudent and Temperate Conduct, will be the most sure Means of accelerating it. That nothing has added to the Difficulty of this Work, more than the Merchants of one Province having sent their Orders conditionally, at the same Time that their near Neighbours determined to leave their Goods at all Events. That this, with Advices from respectable characters on this Continent, that a considerable Part of it cannot long subsist without Supplies from England, had very much decreased the Fears of many in that Respect, and raised in others the Opinion, that if such a Trial of Strength is ever to be made, it may be as well done now as at any other Time, especially as it is imagined that our Markets are so overstocked with Goods; that giving us Time to consume them, will ultimately be advantageous to England.

NEW-YORK, April 3.

It is said that Capt. Williams, who left this City last Summer with Capt. Wynne, has been offered the Place of Lieut. Governor of this Province.

Letters from Detroit of the 24th of February says, "The Indians are seemingly discontented, and intend doing Mischief, but I am far from thinking it will be so general and severe as in the Year 1763."

Besides the Captains Story and Falconer, arrived at Philadelphia from London, we hear a third Vessel arrived there last Thursday, that left London the 13th of February, in Company with two Ships for this Port.

BOSTON, April 10.

Monday last the antient and honorable Artillery-Company made Choice of the Rev. Mr. PHILLIPS PAYSON of Chelsea, to preach on the Anniversary of their Election of Officers the 4th of June next.

At an Adjournment of a Meeting of the Inhabitants of this Town on Tuesday last,

The following Officers were chosen.

Overseer of the Poor: Mr. Samuel Whitwell in the Room of Capt. John Bradford, who resigned:——The Thanks of the Town was voted to Captain Bradford for his Services in that Office.

Wardens: Capt. John Joy, Mr. Benjamin Harrod, Mr. James Perkins, Mr. Thomas Sherburne, and Mr. Thomas Hitchbourne, in the Room of several Gentlemen who had been excused.

Clerks of the Market: Messieurs Samuel Calef, John Gore, jun. and George Green, in the Room of three other Gentlemen that were excused.

The Reports of several Committees were made at the said Adjournment, viz.

An humble Address to the KING. (n)

A Report for employing the Poor.

A Report relative to the Reformation of Manners.

A Report respecting the Prevention of Encroachments on the Towns Lands.——All which were accepted.

We hear that the whole of Capt. Lyde's Freight, which consists chiefly of Hemp and Coals, does not amount to Forty Pounds Lawful Money.

(a) See Stamp Act pa. 53 Vol. I. (b) See Instruction pa. 477. (c) See Convention pa. 248—257—279. (d) See Vol. I. Page 792 (e) See Smuggling pa. 735 Vol. I. (f) See Page 472 (g) The Sea Act vid. pa. (h) See merchants agreements in the Index (i) See Page 472 (k) Vide Page 781. Vol I. (l) Way of women (m) See Instruction pa. 477. (n) See pa. 588. (o) Lawrance Balf & Ed Quirk

† Sr William Beauchamp Proctor ‡ Parliament * Ministers

At a General Council held on Wednesday last his Excellency was pleased to nominate *John Barnard*, Esq; to be a Justice of the Peace in the County of *Suffolk*.—*Joshua Loring*, Esq; to be a Justice of the Quorum for the County of *Suffolk*.—To whose Commissions his Majesty's Council added advise and consent.

The Rev. Mr. JASON HAVEN, of Dedham, is appointed by his Excellency the Governor and the Honorable his Majesty's Council to preach on the Anniversary of the Election of his Majesty's Council the 31st of May next.

Tuesday last his Majesty's Ship Beaver sailed from hence for Halifax. The Viper sailed also for South-Carolina.

Extract of a Letter from a Gentleman in London to his Friend in Boston, dated February 1.

"Notwithstanding the House of Commons Concurrence in the 8 Resolves relative to America, pass'd the House of Lords a Month ago, I expect the great Pleasure of giving you in the Month of May next some very agreeable Tidings with Respect to our Country; by which Time I venture to predict that some new System will be adopted that will prove advantageous to both Countries. No Man here is a Friend to the Acts complain'd of on Commercial Principles."

Extract of a Letter from a Gentleman of Distinction in London, dated February 3, 1769, to a Gentleman in this Town:

"I wrote you the 2d of January by the Packet, since which there have been various proceedings in the House of Commons relating to the Resolves of the House of Lords, which were thoro'ly canvassed by a Committee of the whole House, and in the Conclusion were passed with very small alterations. Your Friends exerted themselves in your Favour with a Torrent of Eloquence and substantial Reasoning, which nothing but Numbers could overcome. However, when the Report is made to the House it will be again argued by your Friends with a perseverance Stedfastness, altho' it is believed the Ministry do not intend to put them in Execution. We have all the best Speakers in the House on our Side the Question, who are true Friends to Liberty—The Merchants here have had a Meeting, and appointed a Committee to apply to Parliament for a Repeal of the late Acts, they have consulted our Friends to know whether they thought such an Application expedient and likely to be successful—They were of Opinion that just at that Juncture it would not be advisable to present a Petition of such a Nature, and in Pursuance of their Advice the Committee are waiting for a more favourable Moment."

Extract of a Letter from a Gentleman in London, dated February 3, 1769.

"You will see that several disagreable Resolves have passed the Houses of Parliament, and that a very extraordinary Measure is adopted to depress the Spirit of Patriotism in America; but you may rely upon it they will never venture to execute any Thing of this Nature; The Ministry have now too much Trouble at Home to create more Abroad. You must depend upon your own Virtue, Prudence, Unanimity and Oeconomy in America for your Deliverance."

Lately died at Sudbury, after a long Confinement, Capt. Reynolds Seager, of that Town, who for some Years past removed with his Family from this Town; He was ever justly esteemed a sensible, honest, good Man; and his Death much lamented by all his Acquaintance.

We hear from Salem, that last Friday Morning died there Samuel Gardner, Esq; a noted Merchant.

March the 20. This Morning died at Shirley, in the 29th Year of her Age, the Wife of the Rev. Mr. *Phinehas Whitney*, of that Place, who, by her amiable and virtuous Behaviour, rendered herself very agreeable to her Acquaintance; and by her steady Practice of Virtue, has given the greatest Assurance that she is gone to Happiness.

Boston, March 30th 1769.

Messieurs EDES & GILL,

AS the Public have frequently been called upon to attend to the Subject of raising Mulberry Trees for the Culture of Silk, I have always been desirous of promoting so good a Design; at present I have only to offer the following Letter received from a Friend in the Country, which if you think worthy the public Perusal, you may give a Place in your useful Paper.

Dear Sir, *Mansfield, March 9, 1769.*

I Observed some time since in the News-Paper, That a certain generous public spirited gentleman had lodged some money in the hands of the Selectmen of Boston, to encourage the planting of Mulberry Trees in your province.—As for silver and gold I have none, but would in my way contribute my mite, to promote so useful a design, the happy fruit of which, my country, I hope, will soon experience, if it be properly encouraged, and pursued. What at present I aim, is from a fact, that is within the compass of my own knowledge and observation, to give a hint, how easy it is, to raise a sufficient quantity of Mulberry Trees, to feed Silk Worms, the fruit of whose labour may in a short time, be of value equal to all we shall have occasion to import from Great-Britain, and with which we may make the most profitable remittances. This fact is this, one of my neighbours, who follows a trade for the support of his family, took a thought of improving his vacant hours, in raising of Mulberry Trees, in order to feed Silk Worms, and soon found that it was an easy task, and has within these few years raised some thousands of those useful Trees, and besides what he designs for his own improvement for feeding a large number of Silk Worms he yearly keeps, and hundreds that he has disposed of, he informs me that he has now about three thousand that are fit to transplant this spring, and which for the encouragement of the silk business he is willing to dispose of very cheap. What I would observe is, that he has raised these Trees with his own Labour, in his leisure and vacant hours, which I think must convince any reasonable man, how easy it were to raise these Trees, and at how small an expence it may be done: And if this account be worthy the public notice as suited to awaken the emulation of people in your province to improve their leisure hours this way; it might be of greater public utility than at first can well be expressed or thought of.——

Several Speculations design'd for this Day's Entertainment, we are obliged to omit.

NEW LONDON, March 31.

We hear that a Duel was fought on the Common in Boston, last Week, by Town Officers, one belonging to the Army, and the other to the Navy; they discharged Two Pistols each, but neither received any Injury. They were prevented making Use of their Swords by their Seconds.

We are informed that Mr. William Hanks of Mansfield, in this County, is now cultivating a large Vineyard; and as the Vines at present look very Promising, he hopes to be able in Two or Three Years to furnish the Public with Wines unadulterated with any Duties.

The above Gentleman the last Year, raised Silk sufficient to make Three Women's Gowns.

A Gentleman in Windham is also cultivating a large Vineyard.

Sundry Gentlemen in Windham and Lebanon, having large Nurseries, and others Orchards of Mulberry Trees, which have been cultivated to bring on a Silk Manufactory.

'Tis said One Silk House is already erected in Lebanon.

Small Spinning Wheels.

A Quantity is immediately wanted:

Enquire of Edes and Gill.

APPRENTICES

HALF a Dozen BOYS is Wanted about 14 Years of Age, to learn the Art of Hackling Flax and Weaving Linnen. Enquire of the Printers.

The SUBSCRIBER,

HAS opened an English Grammar School in King-Street, where Mr. SAMUEL HOLBROOK hath for many Years kept a Writing-School. At which Place any Person may have their Children taught Spelling, Reading, and the English Grammar, on reasonable Terms.

As the Advantage of teaching Youth to Read and Spell by Rule, are so great, and understanding the English Grammar, is so necessary for those who have not a Liberal Education, and as it will greatly facilitate the learning any other Language, such a School is said by the LITERATI, to be very much wanted in the Town. Therefore he hopes he shall serve the Public, as well as himself, which will be a double Satisfaction to their Friend and Servant, JOSEPH WARD.

N. B. From 11 to 12 o'Clock in the Forenoon, and from 5 to 6 o'Clock in the Afternoon, he will teach besides the English Grammar, Writing, Letter Writing, and Arithmetick. *Boston, April 10, 1769.*

To be Sold at *ROYALL TYLER*, Esq'rs; Store, on the North-Side of the Town-Dock,

Sperma-Cæti Candles by the Box,

or larger Quantity, manufactured by *Russell & Howard*,

——Warranted pure.——

TO be Sold by Order of the Superior Court, two Thirds of a Piece of Land at the Southerly Part of Boston, fronting Westerly on Orange Street 59 Feet, and about 84 Feet deep, and 127 Feet in the Rear, with a large Building thereon, commonly known by the Name of the South Market, being Part of the Estate of Mary Willis, late of Boston, deceased. For further Particulars, inquire of John Eliot at Liberty-Tree.

Good Accommodations for Gentlemen Boarders,

near the Centre of the Town. Inquire of Edes and Gill.

TO BE LETT in King-Street,

A Genteel LOWER ROOM, and TWO CHAMBERS, enquire of Edes & Gill.

TO BE SOLD,

A House in *Queen*-street,

well accommodated. Inquire of Edes & Gill.

TO BE SOLD or LET, *on reasonable Terms, and Enter'd upon immediately.*

A good large convenient double

HOUSE, situate in *Medford* (near the Great Bridge) Four Miles from *Charlestown* Ferry, which has been improved (and well accustomed) as a Tavern for many Years past; together with about thirty Acres of good Mowing Land, with a large Barn, Shed, and other Accommodations thereon.—For further Particulars enquire of *Isaac Royall*, Esq; of *Medford* aforesaid.

Said *Royall* has a valuable Tract of Land in *South-Hadley*, containing about 900 or a 1000 Acres; sundry valuable Lots of Land at *Royallston*, in the County of *Worcester*; sundry valuable Lots in a new Plantation (laid out in the County of *Cumberland*) call'd *Royalsborough*; also sundry Tracts of Land in the County of *Lincoln*: All or any of which he will sell very reasonably.

TO BE SOLD,

A likely well-built SCHOONER,

about 110 Tons burthen, built at *Newbury*, by Mr. *Merrill*, a noted good Builder, is almost new, having been but one short Voyage, and is now fit for Sea. Any person inclining to purchase the said Schooner, by applying to the Printers may be further inform'd.

THURSDAY

The 20th of this Month, at Ten o'Clock in the Forenoon will be sold by Public Auction, at the Dwelling-House of Mr. *William Boyes*, next Door to the Sign of the Cross in FISH-STREET,

Mehogany Tables, Desk, Bureau Table,

Black walnut Case Draws, Looking-Glasses, Maple Frame Chairs, Black walnut Tables, Feather Beds and Bedding, Sacking Bedsteads, Kitchen Furniture consisting of Brass, Copper, Pewter, Iron, and sundry other Articles,

The Sale to begin at 10 o'Clock.

M. DESHON, Auctioneer.

PORTSMOUTH, (New-Hampshire,) April 7.

Messieurs EDES & GILL,

You are desir'd to contradict the Report in your Paper of March 20th: it reflects upon a Rev. Gentleman, who is innocent of the Charge, viz. "That one of the associated "Pastors of Boston, went to Portsmouth, just about the "Time the last Sheets of Mr. Murray's APPEAL "were striking off, and threatened to prosecute the "Printers for printing a LIBEL, &c." D. & R. Fowle.

On FRIDAY next,

At Ten o'Clock in the Morning,

Will be sold by PUBLIC VENDUE at the Auction-Room in Queen-Street.

A Variety of genteel HOUSE FURNITURE *among which are*, Mohogony Desk and Book Case, Mohogony Dining Tables, Tea Tables, Bureau, Chest of Draws of Mohogony and Walnut, a very good Eight Day Clock, Looking Glasses, some very fine Pencil and Enamel'd China, blue and white ditto, silver handled Knives and Forks, Feather Beds, a New Chaise and Harness, Silver Watches,——Leather Bottom Chairs, some Plate, Kitchen Furniture, among which is a good Fish Kettle,——Ten Barrels Cyder, &c. &c.

J. RUSSELL, Auctioneer.

FRIDAY next TEN o'Clock.

TO BE SOLD CHEAP,

A SCHOONER about 115 Tons Burthen, one Year Old—And a new SCHOONER between 50 and 60 Tons. Inquire of John Homer.

A HOUSE to Lett near the Market,

Enquire of Edes and Gill.

THESE are to notify the Proprietors of a Township granted to Capt. *William Raymond* and others, on *June* 25, 1765, in Lieu of a Township called *Hale's-Town*, which they lost by its falling within the Province of *New-Hampshire*, That they pay the several Taxes levied on their Rights in said Township; and also the Charges due on their Rights in said *Hale's-Town*, for defraying the Charges thereof, before the Third Day of *May* next, otherwise the Delinquents Lands will be exposed to Sale on the Third Day of *May* next, at the House of Mr. *Solomon Town*, Innholder in *Beverley*, at Two o'Clock in the Afternoon, or so much of said Lands as will pay said Charges, according to a late Law of the Province. By Order of the Committee,

Danvers, April 4, 1769. THOS. PORTER, Pro. Clerk.

TO BE SOLD

By Benjamin Church,

At his usual Place of Sale;

On FRIDAY Eveping next,

A great Variety of valuable Articles, as

BRoad Cloths coarse and fine, Ratteens, Kerseys, Camblets, Popplins, India Callicoes and Chinces, India Taffaty and other Handkerchiefs, Checks, Irish Hollands, &c. Some House Furniture, Wearing Apparel, Watches, &c.

To be Sold by PUBLIC VENDUE,

By *Moses Deshon*,

At the West End of *Faneuil*-Hall Market,

Next Tuesday, and Wednesday,

AN Assortment of European Goods, Houshold Furniture, Feather Beds and Bedding, &c. &c.

By PUBLIC VENDUE,

At NEW AUCTION ROOM,

By ELIAS DUPEE,

Between the Swing & Draw Bridge, near the Golden Key, over Mr. John Dupee, Mathematical Instrument Maker's Shop, will be exposed to Sale, next

Tuesday, Wednesday & Friday Evenings,

HOUSHOLD GOODS, Apparel, several Barrels of Soap, and a variety of European Goods.

Constant Attendance will be given at the abovesaid Place to receive Orders, Consignments, &c.

To be Sold by PUBLIC VENDUE, by

Benjamin Adams,

To-Morrow Evening, at his Room in Fish-Street, next Door to the Sign of the Red-Lion, lately improved by Mr. *Harris*,

Broad Cloths, Checks, new and second hand Wearing Apparel, new and second-hand Houshold Furniture, new and second hand Wiggs, Books, Writing Paper, Silk Handkerchiefs, &c.

N. B. Silver Watches, and superfine Rural Chins, a Pair of Stone Jewells, a Suit of Black Paduoy, at private Sale.

CUSTOM-HOUSE, *BOSTON.*

ENTERED IN.

Jacobs from Rhode-Island. Peirce and Adkins from N. London. Odel from N. Haven. Gorham and Evans from Philadelphia. Lewis, Atkins and Waters from Maryland. Cushing, Adams, Pease & Cobb for N. Carolina. Saltonstall & Chambers from Hispaniola. Young from Antigua and Turks-Island. Haynes from St. Croix.

Buried in the Town of Boston since our last, Eight Whites Two Blacks.

Baptiz'd in the several Churches, Eight.

High Water at Boston, *for this present Week.*

Monday, 40 *m. after* 2		*Friday*, 28 *m. after* 6	
Tuesday, 38 *m. after* 3		*Saturday*, 24 *m. aft* 7	
Wednesday, 31 *m. aft.* 4		*Lord's-day*, 16 *m aft* 8	
Thursday, 29 *m. aft.* 5		*Moon's 1st Q.* 13 D. 38	

1 Page 36. 2 Tea Act, vid, page 735 Vol. 1, 3 Samuel Whitwell. 4 vid. page 440.

vide 2 leaves Back 458

Translation of a Letter from General PAOLI.

SIR,

You are, without doubt, acquainted with my true sentiments on the situation of our affairs. My character has not been that of a hero of romance, a Quixote, or an Amadis. There is nothing more real than the object I pursue: But if, instead of a real object, I pursue a chimera, I am deceived indeed; yet my error shall never cause me to desert the common cause. What are, for the most part, the objects of our pursuits, but dazzling chimeras, which have no other existence than that which our lively and deceived imagination lends them? Upon this principle I will pursue my first plan; and if that liberty which I seek is not to be found any-where, I still have account him my enemy, that will undertake to remove the delusion from my sight: Let me enjoy this dream, which to me, seems so much like truth.

The offers that have been made me are both injurious to me, & repugnant to that spirit of liberty which circulates with my blood in my veins, and which shall circulate with it to the last drop. You little know the courage of the Corsicans, if you can believe they will ever submit to a foreign yoke. All the efforts of Genoa have proved ineffectual, against their valour and love of liberty: And shall we then submit to another Power that comes to offer us it chains? The rocks that surround me shall melt away, ere I will betray a cause which I hold in common with the lowest Corsican. No; I never will become the base destroyer of my country, after having been the generous defender of it. If any man was capable of enslaving me, it would be the Compte de Marbeuf; and the King his master could not have chosen a more enchanting man: But, you know, Sir, the price of liberty, like health, is only known when lost; they are the most precious enjoyments of life. Let the mean slaves of their masters wills fawn at their feet, and renounce the natural rights of humanity; as for me, I have learnt to be free; I know how to live so; and to die free, I would sacrifice ten lives if I had them; I have but one, but that shall not survive my liberty. Be assured, Sir, I shall ever be immoveable. Gold loses its splendor, when offered as the price of liberty. Honours are only able to dazzle fools, if they are not to be obtained but by renouncing the priviledges of human nature. What does it signify to me, that I am able to command a multitude of slaves, who shall come and humiliate themselves at my feet, if, in a quarter of an hour afterwards, I am forced, in my turn, to humble myself at the feet of another, one degree higher than myself? If I fall the victim of liberty, I shall fall nobly, and teach others to sacrifice themselves to the common cause. Our love of liberty will subsist, even among the ruins of our country; it will be enlivened by fire, be born again on the ashes, and will grow, tho' in irons. Of one slaughtered Hero will be produced a thousand; and as Tertullian said of the primitive martyrs of the church, Their blood will be fruitful, and heroes will never be wanting in Corsica."

WHEREAS, at a meeting of the proprietors of the land called Yokum-Town and Mount-Ephraim in the county of Berkshire, (which said Mount-Ephraim and Yokum-Town, are now called Richmont and Lenox) at a meeting legally warned, holden on the 17th day of April, A. D. 1764, voted a tax of 9s. 9½d. on each hundred acres of land in said propriety. And whereas, the proprietors or owners of the lots now named, viz. N°. 1, 8, 10, 17, 18, 22, 23, 61, in the first division of lands in said Mount-Ephraim, and the lots N°. 1, 13, 22, in the second division of lands in said Mount-Ephraim, and the lots N°. 13, 19, 20, 21, in the third division of lands in said Mount-Ephraim, and the lots N°. 2, 4, 8, 9, 11, 14, 19, 20, 21, 22, 23, 26, 27, in the first division of lands in said Yokum-Town, and the lots N°. 3, 4, 5, 7, 13, 14, 17, 23, 31, 32, 33, 35, 14, 41, 46, 49, 50, 51, 52, 53, in the second division of lands in said Yokum-Town, are delinquent and have not paid the tax aforesaid assessed on said lots. And whereas, at a meeting of the proprietors of the lands aforesaid, (legally warned) holden on the 25th day of May, A. D. 1764, there was voted a tax of 20s. on each hundred acres of the lands aforesaid, and whereas, the proprietors of the lots now next mentioned, viz. N°. 10. in the first division in said Mount-Ephraim, and the lots N°. 2, 24, in the second division of lands in said Mount-Ephraim, and the lots N°. 12, 13, in the third division of lands in said Mount-Ephraim, and the lots N°. 19, 17, 35, 36, 51, in the first division of lands in said Yokum-Town, and the lots N°. 5, 6, 11, 32, 34, 35, 19, 38, 39, 31, 32, 41, 42, 43, 45, 48, 50, 51, 52, 53, in the second division of lands in said Yokum-Town, are delinquent, &c. And whereas, at several meetings legally warned and holden on the 9th day of October, 1764, on the 21st day of January, 1765, the 23d day of April 1765, and the 28th day of May, 1765, the proprietors of the lands aforesaid, voted several taxes amounting to 14s. 9d. on each hundred acres in said Mount-Ephraim and Yokum-Town, and the lots now next mentioned, viz. N°. 10, 24, 57, in the first division of lands in said Mount-Ephraim, and the lots N°. 1, 12, 13, 14, 15, 17, 22, 24, in the second division of lands in said Mount-Ephraim, and the lots N°. 12, 23, in the third division of lands in said Mount-Ephraim, and the lots N°. 7, 10, 11, 13, 17, 20, 22, 23, 24, 25, 26, 27, 30, 51, in the first division in said Yokum-Town, and the lots N°. 3, 4, 5, 6, 8, 11, 12, 13, 14, 15, 17, 18, 20, 26, 27, 32, 32, 42, 44, 45, 47, 48, 49, 50, 51, 52, 53, in the second division of lands in said Yokum-Town, are delinquent in paying the taxes last aforesaid, &c. And whereas, at a meeting of said proprietors legally warned, holden on the 25th day of July, 1765, there was voted a tax of 9s. on each hundred acres of land aforesaid, and the lots now mentioned, viz. N°. 10, 22, 23, 24, in the first division of lands in said Mount-Ephraim, and the lots N°. 1, 24, in the second division of lands in said Mount-Ephraim, and the lots N°. 12, 13, in the third division of lands in said Mount-Ephraim, and the lots N°. 7, 10, 11, 17, 20, 22, 23, 25, 26, 27, 30, 51, in the first division of lands in said Yokum-Town, and the lots N°. 3, 4, 5, 6, 8, 11, 12, 13, 14, 15, 17, 18, 20, 26, 27, 32, 32, 42, 44, 45, 47, 48, 49, 50, 51, 52, 53, in the second division of lands in said Yokum-Town, are delinquent, and have not paid their taxes. And whereas, at a meeting legally warned, holden on the 7th day of April 1766, the proprietors of the lands aforesaid, voted a tax of 9s. on each hundred acres of the lands aforesaid, and the proprietors of the lands next mentioned viz. the lots N°. 28, 16, 17, 20, in the first division in said Mount-Ephraim, and the lots N°. 6, 21, 24, 27, 2, 14, 22, 23, in the second division in said Mount-Ephraim, and the lots, N°. 6, 12, 13, 19, 20, 21, 26, in the third division of said Mount-Ephraim, and the lots N°. 28, 49, in the second division in said Yokum-Town, are delinquent, and have not paid their taxes. And whereas, at a meeting legally warned, holden on the 9th day of April, 1767, the proprietors of the lands aforesaid, voted a tax of 1s. 1d. on each hundred acres of the land aforesaid, and the proprietors of the lands next mentioned, viz. N°. 4, 32, 60, 9, 28, 17, 18, 62, 20, 21, 22, 23, 24, 27, 30, 31, 38, 43, 44, 46, 47, 48, 49, 53, 53, 58, 59, in the first division of said Mount-Ephraim, and the lots N°. 6, 21, 24, 5, 7, 29, 26, 8, 2, 12, 22, 23, in the second division of said Mount-Ephraim, and the lots N°. 15, 10, 18, 1, 6, 2, 13, 19, 20, 21, 26, 7, in the third division of said Mount-Ephraim, are delinquent, and have not paid their taxes: all which said taxes, have been made and granted by said proprietors, to bring forward the settlement of said propriety town and district. These are therefore to notify the proprietors of the several lots aforesaid, so delinquent as aforesaid, that their lots, or such part thereof, as shall be sufficient to pay said taxes, together with all charges in and about the same, will be SOLD by public Vendue, at the dwelling-house of Aaron Sheldon, in said Richmont, on the 31st day of July next, at 10 o'clock in the forenoon, and so from day to day till the whole be SOLD (unless said taxes and charges be paid to John Sloson of said Richmont, Treasurer of said proprietors, before said day of sale) for the purpose aforesaid.

March 21st 1769. Sam. Brown, jun. } Assessors.
John Chamberline, }

The Partnership of *William Hyslop* and Company being mutually dissolved, All Persons indebted to them, are desired to make Payment to *Hyslop* and *Burton*, at their Store, No. 9, South Side of the Town-Dock, who carry on the Business as usual. Those that have Demands on them, may apply for Payment.

N. B. Those that have been long indebted, may expect to be sued, if they don't make Payment very soon.

WANTED

AN APPRENTICE to a good Business. Enquire of Edes and Gill.

ALL Persons indebted for this Paper, whose Accounts have been above 12 Months standing, are requested to make immediate Payment.

For the Benefit of

Mr. *HARTLEY*,

A Grand Concert of

Vocal and Instrumental Musick,

At Concert-Hall;

To be performed on the 28th Instant.

THE Vocal Part by a Gentleman from LONDON.

TICKETS to be had of the Printers—Mr. Jackson's at the Brazen-Head—The London-Book-Store—And at Mr. Hartley's Lodgings at Mr. Blackden's, near the Town-House——at Half a Dollar each.

To begin at Six o'Clock, P. M.

TO BE SOLD,

By Andrew Hunter *of* Newport *in* Rhode-Island.

A Very likely healthy young Negro Fellow named *Cato*, brought up a Barber and Peruke-Maker, and excels in the Art of Shaving and Dressing of Gentlemen and Lad's Hair, and being stout and strong is fit for any hard Labour: If any Gentleman in Boston inclines to purchase him, may have his Character by inquiring of Mr. Peter Mumford, Post-Rider, or Mr. Richard Carpenter, Peruke-Maker in Boston.

TO BE SOLD, on reasonable Terms,

A Large and commodious House, suitable for two Families, with two Gardens, Yard and two Wells of Water, situate near the late Dr. *Cutler's* Church N. End of *Boston*. ALSO, 100 Acres of Land in Windham, in the Colony of Connecticut, and about 100 Acres in South-Hadley, in this Province. For further Particulars, inquire of Edes and Gill.

TAKEN up and left at a House in Malden some Time ago, a Piece of checquered Cloth. The Owner may have it again, telling the Quantity, and paying Charges. Inquire of Edes and Gill.

TO be Sold by public Auction on the 3d of May next, (if not sold before at private Sale) a FARM in Ashford, lately in the Occupation of Jacob Dana, Esq; with a good Dwelling-House and Barn, and about 80 Acres of choice Land, all cleared, with three Orchards. Also a Farm about half a Mile from said Farm, lately occupied by Anderson Dana, with a large Dwelling-House and Barn, and a new Shop; a very large Orchard about 30 Acres of choice Land, and a small Dwelling-House, with one Acre of Land all clear'd and bro't up. Said Farms are in Connecticut, about 74 Miles from Boston. For further Particulars, enquire of Amos Babcock, Esq; at Ashford, or of Philip Freeman, Senior, of Dunstable. Said Freeman has four other Farms to sell this Spring cheap for the Cash. ——N. B. The Sale of the above Farms will be on the Premises.

CASH given for empty Snuff-Bottles, at the Sign of the Cross-Pistols, Fore-Street, Boston, by *Andrew Gillespie*—Who has to sell, Best mild Smoaking Tobacco, fine Pigtail in Pound and half Pound Rolls. Also Scotch Snuff and Rappee, manufactured of Tobacco just imported in the Virginia Packet, ——— Swan, Master. Also a Quantity choice Corn, cheap for Cash.

Lynn, March 23, 1769.

STOLEN or strayed from me the Subscriber, a dark Roan Horse, about 14 Hands high, something old, and stiff, at first, Trots and Paces, and draweth well, with a thin Tail, and very weak in the Dock, with a rail Leather Saddle and Housen the same, the Mainpillion-pad broke, and the Stuffing out; 'tis tho't that he is carried to the South or Westward, by a Man that call'd himself John Johnson, something thin, and light Complection, speaks good English, between 30 & 40 Years old, about 5 Feet & a half high: Had a light-colour Great-Coat, something short, and a Linnen Wallet of about half a Bushel's Bulk. Whoever giveth Notice, or secures the Thief, so that the Owner may have his Horse and Furniture, shall be well rewarded; and if the Thief can be bro't to Justice, shall have TEN DOLLARS Reward, and all necessary Charges paid by me.

JOSEPH GOULD.

TO BE SOLD BY

Joseph Dawson, *Gardner*;

In Cambridge-Street, New-Boston,

GARDEN Seeds imported from *London* of all sorts, and Seed saved here, more suitable for the *West-Indies*; ALSO, a large collection of English Fruit Trees of all sorts, which will be sold as cheap as any sold in *Boston*.—LIKEWISE, Gooseberry and Currant Bushes, and Flower Roots, and all sorts of Plants in season.—LIKEWISE, to inform all Gentlemen, that the Cold Bath in said *Dawson's* Garden is now in good Order, which has been approved of for great Virtue.

TO BE SOLD,

A likely well built Sloop, burthen about Ninety Tons, a prime Sailer, calculated for the Whaling or West-India Trade. Enquire at Edes and Gill's Printing-Office for further Particulars.

Boston, Printed by EDES & GILL. *in Queen-Street.* 1769.

Paper 11 Quire Demy 3/. To Find them. old

MONDA., *April* 10. 1769. [NUMB. 1750.]

The BOSTON Evening-Post.

Containing the freſheſt & moſt important Advices, Foreign and Domeſtick.

JOURNAL of the TIMES.

vide [*Continued.*] *Page 451*

1769. *Feb.* 10. LETTERS from Georgia, dated the 28th December laſt, give us to underſtand; that the aſſembly of that province, have fully harmonized with the aſſemblies of their Siſter colonies, by aſſerting their conſtitutional Rights in a number of ſpirited reſolves,(b) and in petitioning their gracious Sovereign for a redreſs of American grievances, as alſo in the reſpectful notice they have taken of the Virginia and Maſſachuſetts circular letters.(a) The patriotick conduct of this aſſembly, does them the more honour, as their Governor, has been pleaſed to tell the world,(c) that *more than ordinary paint* had been taken, to *prevent* their receiving and ſhewing countenance and ſupport to the *Boſton letter*,(a) and that notwithſtanding this, they had ſuffered themſelves to be influenced by the conduct of other provinces, and thereby deliberately laid him under the neceſſity of diſſolving the aſſembly: Thoſe members who have thus dared to maintain the conſtitutional Rights of their conſtituents, tho' threaten'd with political death, by the mandate of a M——r,‖ have juſtly merited the grateful acknowledgments of every American; and that their names ſhould live for ever, in the annals of their country.—Governor Wright's ſpeech upon this occaſion may lead us to imagine, that he would not have L—d H———h conclude that G——r B*——d, is the only Governor upon the continent, who could reaſon with *propriety*, upon the juſtice and policy of American meaſures, but the good gentleman ought to be borne with, as his ſpeech is *quite diſpaſſionate*, and does not, like ſome others, diſcover the *baſeſt ingratitude* and the moſt *inveterate enmity* againſt the people of his government. or that he was *vain enough* to fancy himſelf *capable* of forming the meaſures of adminiſtration.

Feb. 11. The ſummoning of new witneſſes, reſpecting the libels againſt Mr. Hancock ſtill continues. A clerk of that gentleman, was this day, brought to Judge Auchmuty's chamber, and cloſely examined; when this trial will end we know not; as long as it continues, we ſhall notice their procedure, that the friends of liberty, on the other ſide of the water, may be able to form ſome idea of an American Court of Admiralty.

Feb. 12. The prevalency of vice and profaneneſs, the robberies, thieving, houſe-breaking, &c. which have been committed ſince a certain ſet of men were ſent among us, as we have been told by L—d H——h to aſſiſt the civil magiſtrate, muſt greatly affect every member of the community, who views thoſe licentious proceedings, either in a moral or political light: The faithful magiſtrate at ſuch a day, has it in his power to teſtify his regard to the honor of the ſupreme lawgiver, and his love to his country, in his endeavours to diſcountenance and ſuppreſs them: Thoſe who have exerted themſelves herein, have juſtly merited the applauſe, and eſteem, of the wiſe and virtuous; and when any one inſtance comes to our knowledge of the late appointed juſtices, having acted up to the *true* character of *reforming* magiſtrates; we ſhall with pleaſure record the ſame in this journal.

Feb. 13. We have had more of winter ſince Feb. ſet in, than in all the preceding months; the ice having opened new paſſages out of town for the ſoldiery, deſertions are more numerous than ever; notwithſtanding all the care of the officers, and vigilance of the military guards, which almoſt ſurround the town; the practice of ſending out ſerjeant's parties in diſguiſe, ſtill continues, but we do not hear of any one deſerter being brought back, excepting poor Ames, whoſe execution is thought to have been as *impolitick* as it was illegal; it deters thoſe country people from making diſcoveries, which the proſpect of a reward might tempt them to do, as they now apprehend, that this cannot be done without involving themſelves in the guilt of blood—We wiſh thoſe ſtateſmen, on the other ſide of the water, who were in the meaſures of ſending troops, could but look into Boſton, and ſee the preſent ſtate of the regiments quartered among us; if all upon the Britiſh and Iriſh eſtabliſhment were now in America, and were no fuller than the former, it has been conjectured that the number of Britiſh troops would not, in ſuch caſe, exceed twenty thouſand effective men. What policy muſt have been adopted by the Britiſh miniſtry! The ſure hold, Britains once had of Americans, by having their *affections*, has been *wantonly* thrown away, for the *precarious* one, which a body of *troops* can only obtain; a few regiments placed in Boſton neither of which can be truſted without the walls, leſt the greater part ſhould diſappear, or kept together within them, even by a diſcipline hitherto exerciſed only in an enemy's country, is the goodly power which has been thought ſufficient to keep a whole continent in ſubjection. It was certainly a ſhrewd conjecture made by one in the houſe of C——ns, upon the firſt news of the troops being *peaceably* landed in Boſton, that we ſhould now be better acquainted with *ourſelves*, and with *them*.

Feb. 14. In the papers bro't us by the laſt poſt, we have ſeen with pleaſure, the petition of the Pennſylvania aſſembly, to his Majeſty & both houſes of parliament, in which that aſſembly fully concur with thoſe of the other colonies in *aſſerting* with great decency and loyalty, and a manly firmneſs, the *natural* and *conſtitutional* rights of Americans, not to be *taxed*, but by a repreſentation of their *own*; a right, *eſſential* to a Britiſh ſubject, and *inſeparable* from the idea of a free government. It is now evident beyond a doubt, that *one ſentiment* upon the grand point, runs thro' all the *colonies*, not excepting the infant ſettlement of Georgia, which tho' it muſt be ſuppoſed under particular diſcouragements from *aſſerting* this right, has yet dared to do it.(b)

This union is the *ſafety* of colonies, and a pleaſing *omen* in favour of the great American cauſe, which patience and a perſevering firmneſs, muſt at length bring to an happy iſſue, both to the parent country and the colonies. It is certain that the *right* of taxation is the *cauſe* of the preſent controverſy between them; and the colonies not *conceding* this right to the Britiſh parliament, is what has alarmed and offended adminiſtration: An union among the colonies in this point, is what they principally dreaded, and endeavoured to avoid——Hence the *impolitick* diſſolutions & prorogations of the colony aſſemblies, adapted rather to *confirm* than *change* the ſentiments of the people; the liberal ſpirit of the Maſſachuſetts aſſembly, and particularly the circular letter, were conſidered as ſtrongly *leading* to ſuch a *union*.—— The warm attachment of the citizens of Boſton to the *rights of America*, and the patriotick conduct of their repreſentatives were looked upon, as having no ſmall influence upon the *aſſembly*; this is the *true ſource* of that high diſpleaſure, expreſſed by the Secretary of State, for the American department; and by other leading men at home, againſt the Maſſachuſetts aſſembly, and particularly the *town of Boſton*. Hence the miſrepreſentations, and aggravated accounts of diſorders here, tranſmitted to adminiſtration, and too eaſily credited, to form *a pretence* for treating this town with particular ſeverity, and for placing ſo large a body of troops in its very bowels; from an *abſurd opinion* that if the ſpirit of liberty was once thoroughly quelled *in this capital*, it muſt not only be *extinguiſhed* through the *province*, but in all the *colonies*. Vain imagination! *One ſpirit* animates all America; and both the *juſtice* and *importance* of the cauſe is ſo plain, that to *quench* the ſpirit, *all the colonies* muſt be abſolutely *deſtroyed*. What has contributed to *diſtinguiſh* this province, *is the reſidance* of the commiſſioners among us—and the *uncommon exertions* of G. B*** & others in favour of power, and to promote the moſt diſagreeable meaſures of adminiſtration; exertions that have however been ſo *ill directed*, that they have happily *embarraſſed* rather than *promoted* the intended plan.—Being puſhed *firſt*, and more *violently* than our neighbours, we were *early* and *vigorous* in the oppoſition, and do not therefore arrogate upon this account, any undue merit to ourſelves—We rejoice to ſee the colonies in the great point of right, *completely united*. Severe meaſures towards *any one*, or the whole, muſt tend to *confirm* the union. The *tighter* the cord of unconſtitutional power is drawn round this bundle of arrows, the *firmer* it will be; and the *hand* that can *forceably break it*, in ſuch a cauſe *muſt be ſtrong enough* to break the *pillars* of the Britiſh conſtitution, and *overturn* the whole nation.

Feb. 15. The coaſting veſſel which we have before told had been ſeized by a guarda coaſta for having a barrel of wine in the run, which had not been cleared out; has been ſince libelled and *condemned*, at a court of admiralty, together with ſome New-England tobacco, which was found on board upon unloading her:—It is proper to obſerve, that the *only pretence* for ſtopping this veſſel was the *coſt of wine*, but the *cauſe* of the condemnation was the *tobacco* found on board: we muſt therefore leave it to the world to judge whether this, or like circumſtances can juſtify the conduct of thoſe captains of our guarda coaſtas, who, upon moſt frivilous & ſlight pretences, ſhall take upon themſelves to expoſe the owners & freighters of coaſting veſſels to the charge and damage of having their veſſels detained and unloaded, in order to ſearch and rummage out a pretence for their condemnation.

Feb 16. A concert Hall is again opened to all who have, or may commence ſubſcribers to ſuch muſical entertainments. We are told proper conceſſions have been made Mr. D[illegible]s, and that G—— P——y, has engaged that the o—ff[illegible]rs of his core, ſhall for the future behave with decency, and agreeable to the regulations of ſuch aſſemblies.

Feb. 17. There has been within theſe few days a great many ſevere whippings; among the number chaſtiſed, was one of the negro drummers, who received 100 laſhes, in part of 150, he was ſentenced to receive at a court martial;—It is ſaid this fellow had adventur'd to beat time at a concert of muſic, given at the manufactory-houſe.

A court of admiralty held yeſterday, when the witneſſes brought by Mr. Hancock, relative to the libels, entered againſt him on account of the Madeira veſſel, were examined:——The court then adjourn'd to tueſday next.

Feb 18. One H[illegible]nt lately T[illegible]e waiter, was ſent for by the com——rs and cloſely examined by them, in hopes of finding out ſome matter which might ſupport the libels againſt Mr. Hancock:—— It is ſaid one B—— followed the ſaid perſon from the C—m——rs chamber, and hinted to him, that if he would bring out any thing to purpoſe againſt Mr. Hancock, he might be again *reſtored* to his place, and otherwiſe find it to his advantage.

Feb. 19. To condemn a perſon before he is acquainted with the charge laid againſt him, and allowed to anſwer for himſelf, is plainly repugnant to the principles of equity: But it is certainly an higher act of injuſtice to treat a community in this manner: None doubts that heavy charges againſt the town of Boſton have been laid before adminiſtration, which muſt affect the intereſt of the *whole province*, and remotely *of all the colonies*, in their preſent critical ſituation.—What has been alledged againſt the town we *know not*, nor conſequently in what manner we are to make our defence: It ſeems but juſt that the ſervants of the crown here, from whom an account of things is expected, ſhould communicate to the people ſuch *repreſentations* of facts as may be ſuppoſed to operate againſt them with the government at home, that ſo they may have an opportunity of vindicating *themſelves*, as far as they can, before they feel its diſpleaſure. Inſtead of this, theſe accounts are *concealed* with great care; and the firſt intimation the people have of them, is by their *effects*, who are left to gueſs at them, by the influence they have *actually had* upon governmental meaſures.—— This has certainly been the caſe with the town of Boſton; to the aſtoniſhment of all who are acquainted with its tranſactions; it has been repreſented as in a ſtate *ſubverſive of all law and government*, when not *one inſtance* can be produced, of the interruption of juſtice, in any of our *courts*, not ſo much as thoſe held by only a *ſingle* magiſtrate, nor even in the *courts of admiralty*; and the *duties* exacted by the laws of trade, have *been paid*, at leaſt as punctually as ever they were.——The town has an undoubted *right*, and has been ſolicitous to know, the *particular facts*, upon which this general and heavy charge *has been founded*; accordingly the *Seleƈtmen* from a tender regard to the welfare of the inhabitants, have waited upon the Governor laſt Friday, with the following Addreſs.

May it pleaſe your Excellency,

AT a time, when artful and miſchievous men have ſo far prevailed, as to foment and ſpread diviſions in the Britiſh empire: When mutual confidence, which had ſo long ſubſiſted, with mutual advantage between the ſubjects in Britain and America, is in a great meaſure broken: When means are at length found, even to excite the reſentment of the mother ſtate againſt her colonies; and they are publickly charged with being in a ſtate of diſobedience to law, and ready to reſiſt the conſtitutional authority of the nation:—The ſeleƈtmen of this metropolis,

(a) ſee Page 43 & 150.

‖ Munſter & Lord Hillsborough * Governor Barnard & ſee Page 407. † General Pomeroy = Commiſſioners (b) vid. Reſolves pa. 398. (c) ſee page 403. (d) ſee when it ended pa. 457. ‡ George Grenville.

it, cannot be the unconcerned or silent spectators of the calamities which in consequence thereof have already fallen upon its inhabitants.

To behold this town surrounded with ships of war and military troops even in a time of peace, quartered in its very bowels; exercising a discipline, with all the severity which is used in a garrison, and in a state of actual war, is truly alarming to a free people. And what still heightens the misfortune is, that our Gracious Sovereign and his ministers have formed such an idea of the present state of the town, as to induce a necessity of this naval and military force, for the aid of the civil magistrate in the preservation of its peace and good order.

Your Excellency can witness for the town, that no such aid is necessary: Loyalty to the Sovereign, and an inflexible zeal for the support of his Majesty's authority, and the happy constitution, is its just character: And we may appeal to the impartial world, that peace and order were better maintained in the town before it was even rumoured that his Majesty's troops were to be quartered among us than they have been since. Such a measure then we are persuaded, would never have been ordered by the wisdom of the British administration, had not the necessity of it been drawn from the representations of some of his Majesty's servants in this province.

Your Excellency will allow us to express our opinion, that the public transactions of the town, and the behaviour of some of its individual inhabitants have been greatly misapprehended by his Majesty's ministers.

We therefore in duty to the town we have the honor to serve, respectfully wait on your Excellency, and pray that you would be pleased to communicate to us such representations *of facts only* as you have judged proper to make since the commencement of the last year. And as there is a prevailing report, that depositions are and have been taken *ex parte*, to the prejudice of the town and particular persons, may we not assure ourselves that your Excellency will in justice cause to be laid before us such other representations as may have come to your knowledge, that the town knowing clearly and precisely what has been alledged against it, may have an opportunity of vindicating itself.

Attest, WILLIAM COOPER, *Town-Clerk*.

Continued [*To be continued.*] Page 467

By the Brig Last Attempt, *Capt.* Lyde, *which arrived here last Saturday from* LONDON, *we have the following late Advices*, viz.

LONDON. Jan. 15.

WE are informed, that by the death of the late Mrs. Mead, a fortune of 100,000l. devolves to the Wife and only daughter of John Wilkes, Esq;

Jan. 23. We are informed that a fine whole length print of Mr. Wilkes is now drawing by an eminent artist, to be sent to a certain province in America.

Jan. 31. The last letters from Boston mention great uneasiness to have lately subsisted between the Inhabitants and the Soldiers, on account of orders having been given for quartering the Troops in private houses.

It is whispered that more favourable dispositions towards the colonies are daily gaining ground among our people in power.

Feb. 1. It is now said that no endeavors will be used in the Court of Aldermen to prevent Mr. Wilkes sitting in that Court.

It is confidently reported that the two (a) Brentford rioters will remain in Newgate during their lives.

Feb. 3. It is said that a noble L—d at the head of ——, is so frightened at the unexpected uncertainty of his measures, that he has, within these two days, dispatched no less than three messengers to a noble Earl, formerly in the A——n, requesting in the most supplicant tone his advice and influence. The answer said to be received was, "that the care of his health should *only* be the object of his attention during the remainder of his life.

It is apprehended by some persons, that Mr. Alderman Wilkes will soon take up his residence in the strongest house in the city.

It is said that the patriot intends to appropriate all his future pecuniary supplies from America to the service of the brave Corsicans, those strenuous assertors of liberty.

It is said that Sir Fletcher Norton is, or will be, appointed Chief Justice in Eyre, a place of considerable profit. And that his lady is to be created a Peeress in her own right.

We are assured that the Earl of Bute's return from Italy, is expected in the spring, his Lordship's health being greatly re-established.

It is confidently reported, that all the islands in the West-Indies, and all the provinces on the American continent, intend to follow the example of the island of St. Christopher, and make an handsome present to John Wilkes, Esq;

☞ *For other late important* London *Advices*:—*Mr.* Wilkes's *spirited Address to the Freeholders of the County of Middlesex after his Expulsion from the House of Commons*:—*Advertisements*, &c. *see the* SUPPLEMENT.——

PHILADELPHIA. March 27.

Extract of a Letter from London, *Jan.* 19. 1769.

"I had the pleasure of dining, a few days ago, with Mr. Wilkes in the King's bench prison, in company with several gentlemen from America, & others from different parts of England. He is one of the most entertaining men in the world. I heard a number of sentiments from him, that would have done honor to a *Sidney* or a *Hamden*. He is an enthusiast for American liberty; and says, if you can but preserve an equality among one another, you will always be free in spite of every thing. Titles are the bane of an infant country. He enquired in a particular manner after Mr. Dickinson; his Farmer's Letters, he says, are superior to any thing of the kind that was ever published in any age or country. He spoke with as much virulence as ever against Scotland, for you must know, all the Scotch members of parliament in both houses, are against America. The toasts we drank were, His Majesty and all the Royal Family. Liberty to the British Empire. John Glynn, Esq; The Pennsylvania Farmer. No. 45. Daniel Delany, Esq; James Otis, Esq; &c.

Extract of another Letter of the same Date.

"Mr. Dickinson's Farmer's Letters have carried his name & reputation all over the British dominions. I was a few days ago in a large company of patriots and advocates of liberty, when I heard a thousand fine encomiums passed upon them. It is a general remark here, that all the state papers, such as addresses, petitions, &c. which come from America, are wrote in a stile not to be equalled in any part of the British dominions. There is a plain reason for it, men will always write well upon subjects they feel."

All accounts agree, that the Parliament will not redress our grievances this session, though they are convinced that the Acts are wrong.—— American affairs were put off till the 10th of Feb. when it was expected some resolves would be made against us.

Mr. Wilkes has taken much time of the Parliament, and on the 4th of Feb. about 3 in the morning, he was expelled the house.—He sets up again for Middlesex, and has printed a spirited address to the Freeholders of that county.—His Election for an Alderman was also set aside by the court of Aldermen and common Council, but was again elected, no person setting up against him. And it is tho't no one will attempt to oppose him at the Election for Middlesex."

Some late accounts from London which say, That they were in hopes that the R—gh—n party would soon come into the ministry, who would repeal the Acts we complain of. That L. H——gh says the Acts are bad, but will not repeal them while America denies their Right. (e) And that if we stick close to the non-importation of goods, as the manufacturers were beginning to complain, they seemed to think the ministry would be obliged to repeal them the latter end of the session.

Governor B—— letters have been read, which are said to be very inflammatory, and make the People of New-England to be rioters, and every thing that is bad. (f)

SALEM, *April* 4.

Capt. Warren, who arrived here last Week from Bilboa, but last from St. Ubes in 39 Days, informs that a Gentleman of Distinction at the first mentioned place was of opinion, that a War with England would take place sometime in June or July next; but whether he meant with France & Spain, or with Spain alone, we can't positively say, but most probably with the two Nations united.

Also that a large Body of Algerines had besieged some Place (the Name of which he cannot recollect) belonging to the Portuguese; on which a Fleet from Lisbon had been dispatched for its Relief.

BOSTON, *April* 10. 1769.

We have the following Extracts of Letters from London, *viz. Jan.* 29. 1769.

"American affairs remain *in statu quo*. The Lords not long since drew up a number of Resolutions, not very favorable to the northern colonies, which they sent down to the Commons for their approbation. These Resolves they backed with an address to his Majesty, of the *same benevolent tendency*. The commons, chagrined at such an infringement of their dignity, have resented the proposal; from which the friends of America are led to hope, that the present session may discover some signs of penitence in her the *parent*, for the distresses she has brought on *children*."

January 31. 1769.

"In respect to public affairs, we cannot but be of opinion, that altho' many things are averse to America, yet the tide is turned in her favor, by the idea of raising taxes on your side daily *decreasing* here, amongst all parties; and we think that no Minister will again attempt the taxing you, as we believe they are heartily sick of the late act, and only want to save the honor of P—t, to get rid of it. The most sanguine of their friends agree, that it is *improper*, and *incommercial*; and that had a petition come over from your merchants, on the principle of *inexpediency*, instead of those from the assemblies, denying the *right*, it would have been e'er now, repealed. The Ministry at the same time declare, that they will oppose a repeal as long as America shall think that their *threats* are to oblige a compliance; however, we hope a little patience will bring it about, every thing being done, that is in the power of your friends here, to effect it."

"The last duties are confidently said to continue, and in short you are to expect no favor or indulgence from hence. Instructions will be given to the Governors to send hither the most active persons in defence of their rights, & if that should be the case, I hope they will send ships sufficient to bring every person on the continent, for I hold every native in that light.

February 1. 1769.

"The House of Commons have concurred with the House of Lords in sundry Resolves, censuring the conduct of the Bostonians, and in an address, to have the authors of any treason that may have been committed at Boston, brought over here for trial. And this seems all that will be done for America, till some fresh matters are furnished from thence."

—"It is very true, there have been and still are the grossest Misrepresentations of the Americans, both on this and that side the Atlantic. I was this Afternoon with Mr. ——, who is your firm and good Friend, but he fears there will be no *immediate* Change for the better, or any Repeal."

February 2. 1769.

"Notwithstanding the House of Commons concurred in the 8 Resolves relative to America, which pass'd the House of Lords a month ago, I expect the great Pleasure of giving you in the Month of May next, some very agreeable Tidings with Respect to our Country; by which Time I venture to predict that some new System will be adopted that will prove advantageous to both Countries."

February 3. 1769.

"You will see that several disagreeable Resolves have passed the Houses of Parliament, and that a very extraordinary measure is adopted to depress the spirit of patriotism in America; but you may rely upon it they will never venture to execute any thing of this nature, the Ministry have now too much trouble at home to create more abroad. You must depend upon your own virtue, prudence, unanimity and œconomy in America for your deliverance."

February 4. 1769.

"Indeed the face of politicks wears a very melancholy aspect at present, and what will be the issue Heaven alone can tell. While the Colonies are in an uproar about their liberties, the people here are enraged, almost to a degree of desperation, at seeing their rights infringed in the person of Mr. Wilkes, who was yesterday expelled the house of commons by a majority of 103. Nothing so much alarms the merchants here, as your resolutions to import no more goods, which will have a more salutary influence, than all the mob triumphs in the world."

February 5. 1769.

"I wrote you the 2d January by the Packet, since which there have been various Proceedings in the House of Commons relating to the Resolves of the House of Lords, which were canvassed by a Committee of the whole House, and in the Conclusion were passed with very small Alterations: Your Friends exerted themselves in your Favor with a Torrent of Eloquence and Substantial Reasoning, which nothing but Numbers could over come. However when the Report is made to the House it will be again argued by your Friends with a persevering Stedfastness; altho' it is believed the Ministry do not intend to put them in Execution: We have all the best Speakers in the House on our side the Question, who are true Friends to Liberty:——The Merchants here have had a Meeting and appointed a Committee to apply to Parliament for a Repeal of the late Acts, (d) they have consulted our Friends to know whether they thought such an Application expedient and likely to be successful: They were of Opinion that just at that Juncture it would not be advisable to present a Petition of such a Nature; and in Pursuance of their Advice the Committee are waiting for a more favorable Moment."

February 6. 1769.

"The doors of the House of Commons are now shut against every body but members.—Whilst the legislature hath many important matters to attend to, which require immediate discussion, the commons were employed all last week, night and day (for they sat every day till two, three or four o'clock in the morning) on Mr. Wilkes's affair; and on Saturday was expelled between two & three in the morning. He avowed the prefatory remarks to Lord Weymouth's letter, which is the first reason assign'd in the following resolution for his expulsion, viz.

"That John Wilkes, Esq; a member of this house, who hath, at the bar of this house, confessed himself to be the author & publisher of what this house has resolved to be an insolent, scandalous and seditious libel, & who has been convicted in the court of King's Bench, of having printed & published a seditious libel, and three obscene and impious libels, and, by the judgment of the said court, has been sentenced to undergo twenty-two months imprisonment, and is now in execution under the said judgment, be expelled this house."

(F) vid. Barnard's Letters page 463 &c. pa. 831. &c.
(g) Stamp act &c. pa. 735. Vol. I
(h) vid. page 472.
(i) Essay on Women.

// Administration = Rockingham & Lord Hillsborough * Barnard Governor ¶ Parliament
v vide Page 781. Vol. I ~ Page 436 (a) vid. pa. 324. (b) vid. page 455. (c) To find them, vid. Index.
(d) Molas. Act. pa. 9 — Glass Act. pa. 735. Vol. I. (e) vid. Merchants agreem. in Index. ~ The N. Briton.

The reſolution was carried, upon a diviſion, by 219 to 137, and a new writ is iſſued for electing another member in his room. But as they paſſed no vote of diſqualification, he will doubtleſs be re-choſen, and in this caſe this buſineſs will be, in part, to do over again; ſo far I mean, as reſpects the propriety of his ſitting in the houſe.

George Grenville was among thoſe who voted againſt his expulſion; obſerving, that upon the firſt point, reſpecting Lord Weymouth, it was an offence againſt a private man, and was cognizable & puniſhable by the common law; and that with regard to the other two, he was now ſuffering the judgment of the court of King's Bench: that he wiſhed lenitive meaſures to be followed, in order to quiet the minds of the public, and to render him of no conſequence; and that Wilkes himſelf was ſo ſenſible of this, that he wiſhed for nothing more ardently than perſecution, and would be diſappointed, if he had it not.

Thus the matter ſtands at preſent. Wilkes hath ſince publiſhed a moſt extraordinary addreſs to the freeholders of Middleſex.(d)[*See the Supplement*] He ſeems now to be abſolutely deſperate, & reſolved either to bring down upon his head the whole vengeance of the legiſlature, or to bully the Miniſtry into an accommodation with him.

The report of the reſolutions regarding America, having been deferred till next Wedneſday, on account of Wilkes's affairs being brought into Parliament, I ſhall ſend you them a few days hence.—Thus much I can now ſay of them, that they tend to enforce all the laws of trade and revenue, and there's no proſpect of the Acts being repealed."

February 7. 1760.

"Things draw towards a criſis; the Miniſtry blamed by all moderate men; the minority increaſing faſt; the city of London meet this week to give inſtructions to their members; the city of Briſtol, and other capital places, will follow the example, as the only vigorous conſtitutional, and moſt effectual ſtep that can be taken in the preſent critical and divided ſituation of our internal affairs.

"Several ſhips from New England are about returning empty, there being ſcarce any orders for goods, that are not conditional, and the event on which they depend is, it ſeems, not likely to happen, viz. the repeal of the duty acts. Some ſay that tho' eight ſhips are up for Boſton, there are not poſitive orders enough to load one of them.—Others ſay not enough to load a long boat.——It is alſo ſaid that moſt of the New York veſſels will go back empty this year.——But the trade to Pennſylvania is ſtill open, tho' 'tis tho't the ſhips now going will be the laſt, and that the Determination to take no more Goods will next year be general throughout the Northern Colonies.

"It is aſſerted that the Britiſh exports to America have fallen ſhort laſt year upwards of £.100,000."

The other accounts we have, relative to American affairs, are in general, That tho' there be no immediate proſpect of redreſs, yet that the wiſhed for period, it is tho't, is nearer than many imagine; for it is obſerved, that the opinion, which had but too generally prevailed, of raiſing taxes on America, ſeems given up by many, from a perſuaſion of its being erroneous, and by others, as a meaſure that will not anſwer the intended purpoſe.—That therefore, altho' there be no probability of P——t reverſing the *Declaratory Act*, it is not likely that any M——r will hereafter attempt to make uſe of it to the purpoſes of Charles Townſhend; and that *that* burthen it is believed, will ſoon be removed.

That the preſent oppoſition to an *immediate* repeal of the late revenue Act, ariſes from the offence taken at its being *inſiſted* on with *threats* from this ſide, which is conſidered, by ſome of our *zealous* friends in P——t, as an improper meaſure, & inclines them leſs to countenance an *immediate* redreſs, tho' they have it warmly at heart, to be done in, what they call, "a due time." That, however, it is thought, it will be effected; and that the continuation of a prudent and temperate conduct, will be the moſt ſure means of accelerating it. That nothing has added to the difficulty of this work, more than the merchants of one province having *ſent* their orders *conditionally*, at the ſame time that ſome of their neighbors determined to have their goods at all events. That *this*, with advices from reſpectable characters on this continent, that a conſiderable part of it cannot long ſubſiſt without ſupplies from England, had very much decreaſed the fears of many in that reſpect, and raiſed in others the opinion, that if ſuch a trial of ſtrength is ever to be made, it may as well be done now as at any other time, eſpecially as it is imagined that our markets are ſo overſtocked with goods, that giving us time to conſume them will ultimately be advantageous to England.

By Capt. Lyde from London, we have advice of the arrival of the Captains Cazneau, Shepherd, and Brown, from this Place:—and that the Captains Davies, Hood, Bryant, Dixey, and Calef, were to leave London for this Place ſoon after him, in Ballaſt, as no Freight offered for this Port.

At a General Council held laſt Wedneſday, his Excellency the Governor was pleaſed to nominate JOHN BERNARD, *Eſq;* to be a Juſtice of the Peace in the County of *Suffolk*. And,

JOSHUA LORING, *Eſq;* to be a Juſtice of the Quorum for the County of *Suffolk*.

The Rev. Mr. JASON HAVEN, of Dedham, is appointed by his Excellency the Governor and the Honorable his Majeſty's Council to preach on the Anniverſary of the Election of his Majeſty's Council the 31ſt of May next.

Monday laſt the antient Artillery Company made Choice of the Rev. Mr. PHILLIPS PAYSON of Cheſſea, to preach on the Anniverſary of their Election of Officers on the 4th of June next.

At an Adjournment of a Meeting of the Inhabitants of the Town of Boſton, on Tueſday laſt,

The following Officers were choſen,

Overſeer of the Poor: Mr. *Samuel Whitwell* in the Room of Capt. *John Bradford*, who reſigned:—The Thanks of the Town were voted to Captain Bradford for his Service in that Office.

Wardens: Capt. John Joy, Mr. Benjamin Harrod, Mr. James Perkins, Mr. Thomas Sherburne, and Mr. Thomas Hitchborne, in the Room of ſeveral Gentlemen who had been excuſed.

Clerks of the Market: Meſſrs. Samuel Calef, John Gore, jun. and George Green, in the Room of three other Gentlemen that were excuſed.

The Reports of ſeveral Committees were made at the ſaid Adjournment, viz.

An humble Addreſs to the KING.

A Report for employing the Poor.

A Report relative to Reformation of Manners.

A Report reſpecting the Prevention of Encroachments on the Town Lands.

All which were accepted.

Laſt Week died at Sudbury, after a long Confinement, Capt. Reynolds Seager, of that Town, who ſome Years paſt removed with his Family from this Town: He was ever juſtly eſteemed a ſenſible, honeſt, good Man; and his Death is much lamented by all his Acquaintance.

The Public are cautioned to beware of counterfeit Dollars, as one was paſſed by a Country woman laſt Saturday, to a Lad in a Shop in this Town, the Date 1763, the Inſide (when broken) is of a Copper colour.

On Tueſday laſt came on before the Superior Court of Judicature for this Province, the Trial of Badger, Donelly, and Carmichael, for wilfully ſetting Fire to the Goal in this Town, with an intent to burn it, when they were all three acquitted.—They were next Day tried for a Miſdemeanor, for ſetting Fire to it, with Intention to make their Eſcape, and found guilty.(h)

The next Day a Soldier, two Negroes and a Boy were bro't to the Bar for robbing Mr. Malcomb's Houſe, as formerly mentioned, & pleaded Guilty.

Cuſtom-Houſe, Boſton, *April* 8. 1769.

ENTRED-IN.

Jacobs from Rhode-Iſland; Pierce & Aderton from New-London; Odell from New-Haven; Gorham & Evans from Philadelphia; Lewis, Atkins and Waters from Maryland; Cuſhing, Adams, Peaſe and Cobb from No. Carolina; Sailſtonſtall & Chambers from Hiſpaniola; Young from Antigua and Turks Iſland; Haynes from St. Croix.

CLEARED-OUT.

Jacobs for Rhode-Iſland; Cole and Cliſt for New York; Helpman for Quebec; Snelling for Newfoundland; Phillips for Canaries; Bryant for Weſt Indies; Morton for Hiſpaniola.

OUTWARD-BOUND.

Critchard for Quebec; Pulling, Eliſha Turner, Iſrael Turner & Adams for Newfoundland; Clark for Nova-Scotia; Elsbre for Rhode-Iſland, Atwood for Halifax; Davis and Wiſher for Weſt-Indies; Murphy for Virginia; Froſt for Europe.

For PHILADELPHIA,

The Sloop *Nancy, Wm. Marſhall*, Maſter.

Will ſail in Five or Six Days.

For Freight or Paſſengers apply to ſaid Maſter on board ſaid Sloop lying at Mr. *Rowe*'s Wharf, or at Doctor *Samuel Marſhall*'s.

Strayed away about three Week ago, a large black Cow with a white Face, the ends of her Horns cut off, about ten Years old. Whoever takes her up and brings her to the Subſcriber, ſhall have Two Dollars Reward and all neceſſary Charges paid by NATH. GREENE.

For the Benefit of Mr. Hartley,

A grand CONCERT

OF VOCAL and INSTRUMENTAL MUSIC,

At Concert-Hall.

To be performed on FRIDAY the 28th Inſtant.

The Vocal Part by a Gentleman from LONDON.

TICKETS to be had of the Printers; Mr. *Jackſon*, at the Brazen-Head; the London Book-Store; and at Mr. *Hartley*'s Lodgings at Mrs. *Blagdon*'s, near the Town Houſe, at Half a Dollar each. To begin at 6 o'Clock, P. M.

On FRIDAY next,

At Ten o'Clock in the Morning,

Will be ſold by PUBLIC VENDUE,

At the Auction Room in Queen-ſtreet,

A Variety of genteel Houſe-Furniture,

Among which are, Mohogony Deſk and Book Caſe, Mohogony Dining Tables, Tea Tables, Bureau, Cheſt of Draws of Mohogony and Walnut, a very good Eight Day Clock, Looking Glaſſes, ſome very fine Pencil and enamel'd China, blue & white ditto, ſilver handled Knives and Forks, Feather Beds, a New Chaiſe and Harneſs, Silver Watches,—Leather Bottom Chairs, ſome Plate, Kitchen Furniture, among which is a good Fiſh Kettle,—Ten Barrels Cyder, &c. &c.

FRIDAY next TEN o'Clock.

J. RUSSELL, *Auctioneer*.

Theſe are to Notify the Proprietors of a Townſhip granted to Capt. *William Raymond* and others, on *June* 25, 1765, in lieu of a Townſhip called *Hales-Town*, which they loſt by it's falling within the Province of *New-Hampſhire*, that they pay the ſeveral Taxes levied on their Rights in ſaid Townſhip, and alſo the Charges due on their Rights in ſaid *Hales-Town*, for defraying the Charges thereof, before the third Day of *May* next, otherwiſe the delinquent Lands will be expoſed to Sale on the ſaid third Day of *May* next, at the Houſe of Mr. *Solomon Town*, Innholder in *Beverly*, at Two o'Clock in the Afternoon, or ſo much of ſaid Lands as will pay ſaid Charges, according to a late Law of the Province.

Danvers, April 4. By Order of the Committee.

1769. THO' PORTER, Pro. Clerk.

Ran away from his Maſter, *Daniel Packard*, of *Bridgwater*, on the 22d of *March* laſt, an Apprentice Lad about 17 Years of Age, of a ſandy Complexion, dark brown Hair: Had on when he went away a ſhort blue Coat with metal Buttons, a ſmall Bever Hat, a pair of mixed Yarn Stockings, thick Shoes with Leather Strings, large Legs and Ancles; is a ſhort thick ſet Lad. Whoever ſhall take up ſaid Apprentice and convey him to his Maſter at *Bridgwater*, ſhall have Two Dollars Reward.

All Maſters of Veſſels and others are hereby cautioned againſt harbouring, concealing or carrying off ſaid Servant as they would avoid the Penalty of the Law. *April* 10. 1769.

LETTERS *in Anſwer to the* FARMER's.

Remainder of LETTER VI.

[*Begun in our laſt.*]

IT may be proper, in this place, to conſider what our Delaware Patriot has ſaid upon the intended appointment of new Judges in America, independent of the people. He ſeems to have taken his fright from the intent, in the late Act, to raiſe a revenue "in his Majeſty's dominions in America, for making a more certain & adequate proviſion for defraying the charge of the adminiſtration of juſtice, and the ſupport of civil government, in ſuch provinces where it ſhall be found neceſſary."

The King, being the head of the executive government, has an indiſputable right to name his judges in any part of his dominions; for the old Engliſh Kings were conſidered only as judges and generals. Even at this day the King is ſuppoſed to be preſent in all his courts. But what gravels him is, the judges being appointed only *durante bene placito*, and not as they are in England, *quamdiu bene ſe geſſerint*. He thought, if they held their places only during pleaſure, they would be too true to their appointment, and would not be quite ſo ſubſervient to the views and intereſts of a populace.† It ſeems ſtrange that this objection ſhould be made: For are not the judges appointed by our aſſemblies in the ſame manner, at leaſt annually? And is there not more danger that their judgments will be warped from the ſingle view of juſtice, while they are reſident upon the ſpot with the power of their creation, and ſubject to its immediate influence, than there can be when appointed by a power three thouſand miles diſtant? But, no doubt, he would willingly be in faſhion, and readily oppoſe any meaſures that enſure a due weight and reſpect to the crown. Bribery and corruption, or the appearances of them, have nothing frightful in their countenances, while courts are running a popular race: But the moſt diſtant thought of ſuch judicial appointments, as would render the laws effectual in revenue matters, preſents theſe objects in their moſt uncouth ſhapes. Apprehenſions of oppreſſion are immediately raiſed; and the trumpet of diſaffection is ſounded from one end of the continent to the other.

But

† *I ſhould be ſorry if I ſhould be underſtood to mean a reflection upon the ſuperior court of your province, who have ſhowed, on different occaſion, a laudable diſintereſtedneſs, and given us room to think, that juſtice will be the point in view upon any queſtion wherein the honor of the crown may be concerned.—Happy! if the courts in a neighbouring government could challenge ſo diſtinguiſhed a character.*

(b) North Briton — (c) Eſſay on Women. (d) vid. pa. 455. (e) Provincial acts vol. — molaſſes Act pa. 9 — — Glaſs Act pa. 735. Vol. 1. (f) As at (g) vid. pa. 477. (h) vid. Gaol act. pa. Vol. 1. (i) vid — page 588. (k) vid. page 391.

§ Parliament ‖ Miniſter # Not where they have Charters to the Contrary, as in ours. the King by his Governour Nominates them, and the Council Conſents. ¶ See Vol. 1. page 792 (a) vid. pa. 472

But the *Farmer* has met with a new surprize from the "confusion in our laws," which he says "is quite unknown in Great-Britain." The author of the history of New York, in his opinion, had described it so clearly and properly, that he has not scrupled to let it pass upon the world as a copy of his own judgment. I shall therefore consider the historian's opinion as his own. "The state of our laws," says the historian, "opens a door to much controversy. The uncertainty with regard to them renders property precarious, and greatly exposes us to the arbitrary decisions of unjud judges. The common law of England is generally received, together with such statutes as were enacted before we had a legislature of our own; but our courts exercise a sovereign authority in determining what parts of the common and statute law ought to be extended: For it must be admitted, that the difference of circumstances necessarily requires us, in some cases, to reject the determination of both. In many instances they have also extended even acts of parliament, passed since we had a distinct legislature, which is greatly adding to our confusion. The practice of our courts is no less uncertain than the law. Some of the English rules are adopted, others rejected. Two things therefore seem to be necessary for the public security. First, the passing an act for the settling the extent of the British laws. Secondly, that the courts ordain a general set of rules for the regulation of the practice."

What pity is it, that people who profess the law, or write about it, will never make themselves acquainted with the grounds and foundation of it!—These people may be useful in disputes about bookaccompts, or an horse-jocky note, which are suited to their talents: But they are dangerous when they move out of their sphere, and turn their attention towards affairs of government. Had this scribbler understood his abilities, he would have escaped both the applause of the mob, and the contempt of men of sense. He is puzzled to find out what part of the laws of England extend here, and complains, that British statutes, since we had legislatures of our own, have been held obligatory upon us. He then gravely advises to the passing of some act for "settling the extent of the British laws."

What an indiscriptable piece of insolence is this! Legislatures that are bound by the charters from which they exist, to obey the laws of England, are called upon to limit the extent of such laws. This naturally leads me to bring to remembrance the two grand divisions of the English laws, which, if properly understood, must have crushed in embrio this extravagant claim of provincial power. The first division is into RIGHT; the second into REMEDY. RIGHT, being inherent, is, like our allegiance, confined neither to climate nor soil, *nec cælum, nec solum*, but pursues us even upon enemy ground. Right survives to an English subject, and accompanies him even in the mines of Peru, tho' remedy lies dormant. It follows, then, that all acts, declaratory of the rights of Englishmen should be the effort of that legislative body which holds all others in subordination: for, on a contrary supposition, the subordinate legislatures might enact laws to the annoyance of each other, and *right* might be variable in every government. I shall venture, then, to assert the extent of all British laws, whether *statute* or *common*, that any way relate to the rights of men. The common law we claim as our birthright; consequently all such statutes as are made either in abrogation, affirmance or amendment of it, must follow it, tho' the colonies are not named.

It has been too often asserted, and too generally believed, that no acts of the British parliament can or ought to bind the colonies without naming them. This opinion could never have prevailed, had the distinction been kept up between *penal* and other statutes. The extent of such as affirm or amend the common law, is a privilege worth claiming. But *penal* statutes have nothing in them that heals or secures an invaded right: It is for this reason, no act that inflicts penalties, such as the late one, is made to extend to the colonies, unless they are expressly named. There is a case, which has been repeated by several hands, that has doubtless added greatly to the prevalency of this opinion. But whoever reads it with attention, will find, that the process was framed upon a *penal* statute, the extent of which to Jamaica, a conquered island, was disputed. The reason why *penal* statutes ought not to be construed to bind the colonies without naming them, is apparent: For if the extent of such should be allowed; then every act of parliament that lays duties upon malt, beer, soap, &c would bind the plantations, which would be more than an imaginary grievance. These acts are local in their operation, and, for the most part, are construed *strictly*. I shall, therefore, venture to affirm, that the colony legislatures can make no laws contrary to such of the laws and statutes of Great-Britain as establish right.

The other branch is Remedy, which is the avenue laid open to the subject to pursue his *right*. As the securing of *right* is the grand object of the law, and as that may be secured effectually by different process (which constitutes the remedial branch) it is but reasonable that the colony legislatures should be impowered to make such laws establishing modes of process, as shall be most convenient to each government. Therefore, altho' the most usual process in England to remove causes from an inferior to a superior examen, in civil actions, is by writ of error; yet an *appeal* may be *relevant* in the colonies, tho' attended with fewer formalities. Where, then, is the necessity of passing acts in the colonies to limit the extent of the British laws? Such as are only *remedial*, we may introduce or reject at will: Such as relate to right, whether statute or common, extend here naturally, and cannot be excluded by any provincial law. *Penal* statutes bind us only when we are named. Where, then, is the danger either of introducing or rejecting any part of the remedial branch? What is it to a man who has a just claim, whether it be pursued by *Latitat, Bill of Middle-Sex*, or any other provincial process, however variant from these writs, provided the question of right is fairly tried?

The power of the King to name his judges in the colonies is indisputable: The *Farmer* has more than half acknowledged it; only he thought their salaries ought to depend upon the people here. A most solemn piece of banter! He would acquiesce in the authority of the King to name his judges; but would have it in the power of the people to starve them into a compliance with any measures that would tend to diminish his authority here! If their salaries, my dear Sir, are to depend upon the goodwill of the people, they are our assemblies judges, and not the King's: The laws of McEntoish, and not the laws of England, must determine the properties of men, and the populace are to say whose house shall stand, and whose shall fall. If the King can of right name his judges, he can also prescribe the modes of their maintenance. Adieu!

Continued Page 507

WHEREAS, at a meeting of the proprietors of the land called Yokum-Town and Mount-Ephraim in the county of Berkshire, (which said Mount-Ephraim and Yokum-Town, are now called Richmont and Lenox) at a meeting legally warned, holden on the 17th day of April, A. D. 1764, voted a tax of 9s. 9½d. on each hundred acres of land in said propriety. And whereas, the proprietors or owners of the lots now named, *viz.* N°. 1, 8, 10, 17, 18, 22, 23, 61, in the first division of lands in said Mount-Ephraim, and the lots N°. 1, 13, 22, in the second division of lands in said Mount-Ephraim, and the lots N°. 13, 19, 20, 21, in the third division of lands in said Mount-Ephraim, and the lots N°. 2, 4, 8, 9, 11, 14, 19, 20, 21, 22, 23, 26, 27, in the first division of lands in said Yokum-Town, and the lots N°. 3, 4, 5, 7, 13, 14, 17, 23, 31, 32, 33, 35, 11, 41, 46, 49, 50, 51, 52, 53, in the second division of lands in said Yokum-Town, are delinquent and have not paid the tax aforesaid assessed on said lots. And whereas, at a meeting of the proprietors of the lands aforesaid, (legally warned) holden on the 25th day of May, A. D. 1764, there was voted a tax of 20s. on each hundred acres of the lands aforesaid, and whereas, the proprietors of the lots now next mentioned, *viz.* N°. 10. in the first division in said Mount-Ephraim, and the lots N°. 1, 14, in the second division of lands in said Mount-Ephraim, and the lots N°. 12, 13, in the third division of lands in said Mount-Ephraim, and the lots N°. 10, 17, 25, 26, 51, in the first division of lands in said Yokum-Town, and the lots N°. 5, 6, 11, 12, 14, 18, 19, 20, 26, 31, 32, 41, 42, 43, 45, 48, 50, 51, 52, 53, in the second division of lands in said Yokum-Town, are delinquent, &c. And whereas, at several meetings legally warned and holden on the 9th day of October, 1764, on the 21st day of January, 1765, the 23d day of April 1765, and the 28th day of May, 1765, the proprietors of the lands aforesaid, voted several taxes amounting to 14s. 7d. on each hundred acres in said Mount-Ephraim and Yokum-Town, and the lots now next mentioned, *viz.* N°. 20, 24, 57, in the first division of lands in said Mount-Ephraim, and the lots N°. 2, 12, 13, 14, 15, 17, 22, 24, in the second division of lands in said Mount-Ephraim, and the lots N°. 22, 23, in the third division of lands in said Mount-Ephraim, and the lots N°. 7, 10, 11, 13, 17, 20, 22, 23, 24, 25, 26, 27, 30, 55, in the first division in said Yokum-Town, and the lots N°. 3, 4, 5, 6, 8, 11, 12, 13, 14, 15, 17, 18, 20, 26, 29, 31, 32, 41, 42, 43, 45, 47, 48, 49, 50, 52, 53, in the second division of lands in said Yokum-Town, are delinquent in paying the taxes last aforesaid, &c. And whereas, at a meeting of said proprietors legally warned, holden on the 25th day of July, 1765, there was voted a tax of 9s. on each hundred acres of land aforesaid, and the lots now mentioned, *viz.* N°. 10, 22, 23, 24, in the first division of lands in said Mount-Ephraim, and the lots N°. 2, 24, in the second division of lands in said Mount-Ephraim, and the lots N°. 12, 13, in the third division of lands in said Mount-Ephraim, and the lots N°. 7, 10, 11, 17, 20, 22, 23, 24, 25, 26, 27, 28, 51, in the first division in said Yokum-Town, and the lots N°. 3, 4, 5, 7, 11, 12, 13, 14, 15, 17, 18, 20, 26, 27, 31, 32, 41, 42, 43, 45, 47, 48, 49, 50, 52, 53, 58, in the second division of said Yokum-Town, are delinquent in paying the taxes last above-mentioned. And whereas at a meeting legally warned, holden on the 29th day of February, 1768, the proprietors of the land aforesaid, voted a tax of 5s. 1½d. on each hundred acres of land aforesaid, and the proprietors of the several lots next mentioned, *viz.* N°. 22, 23, 24, 25, 41, in the first division of lands in said Mount-Ephraim, and the lots N°. 1, 7, in the second division of said Mount-Ephraim, and the lots N°. 12, 18, 20 in the third division of said Mount-Ephraim, and the lots N°. 10, 11, 17, 23, 25, 26, 61, in the first division of the lots N°. 3, 5, 11, 12, 14, 18, 20, 26, 27, 31, 33, 42, 43, 45, 47, 48, 51, 52, 53, in the second division of lands in said Yokum Town, are delinquent and have not paid the tax last aforesaid. And whereas, at a meeting legally warned, holden on the 17th day of April, 1766, the proprietors of the lands aforesaid, voted a tax of 22s. for every hundred acres of the lands aforesaid, and the proprietors of the lots next mentioned, *viz.* the lots N°. 22, 23, 24, 25, 44, in the first division of said Mount-Ephraim, and the lots N°. 1, 6, 7, 24, in the second division of said Mount-Ephraim, and the lots N°. 10, 12, 13, in the third division of said Mount-Ephraim, and the lots N°. 7, 10, 11, 23, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 51, in the first division of said Yokum-Town, and the lots N°. 3, 5, 11, 12, 14, 17, 18, 26, 27, 28, 29, 31, 32, 41, 42, 43, 45, 47, 48, 49, 51, 52, 53, in the second division of said Yokum-Town are delinquent and have not paid their taxes. And whereas, at a meeting legally warned, holden on the 6th day of June 1766, the Proprietors of the lands aforesaid, voted a tax of 7s. 11½d. on each hundred acres of the land aforesaid, and the proprietors of the lots next mentioned, viz. the lots N°. 3, 4, 20, 16, 21, 22, 23, 24, 25, 30, 31, 44, in the first division in said Mount-Ephraim, and the lots N°. 1, 6, 7, 22, in the second division, and the lots N°. 1, 12, 13, in the third division in said Mount-Ephraim, and the lots N°. 7, 17, 19, 20, 26, 27, 28, 30, 31, 51, in the first division of said Yokum-Town; and the lots N°. 3, 12, 15, 16, 17, 20, 31, 34, 36, 39, 42, 43, 49, 50, 51, 53, in second division of said Yokum-Town, are delinquent, and have not paid their taxes. And whereas, at a meeting legally warned, holden on the 6th day of January, 1767, and on the 26th day of the same January, the proprietors of the lands aforesaid, voted a tax of 1s. 9½d. on each hundred acres of the land aforesaid, & the proprietors of the lots next mentioned, viz. the lots N°. 3, 16, 17, 20, 21, 22, 23, 24, 25, 30, 31, 27, 46, 28, 47, 53, 54, 60, in the first division in said Mount-Ephraim and the lots N°. 1, 2, 3, 6, 7, 8, 9, 11, 12, 13, 14, 15, 17, 21, 22, 23, 24, in the second division in said Mount-Ephraim, and the lots N°. 1, 6, 7, 10, 12, 13, 15, 17, 18, 19, 20, 21, 26, in the third division in said Mount-Ephraim, and the lots N°. 7, 9, 10, 11, 14, 15, 17, 19, 20, 21, 23, 25, 27, 28, 30, 31, 32, 26, 51, in the first division of said Yokum-Town, and the lots N°. 2, 3, 4, 5, 6, 7, 8, 11, 13, 14, 15, 16, 17, 20, 27, 28, 29, 19, 31, 32, 34, 36, 39, 41, 42, 43, 49, 50, 51, 53, 48, in the second division of said Yokum-Town, are delinquent, and have not paid their taxes. And whereas, at a meeting legally warned, holden on the 7th day of April 1767, the proprietors of the lands aforesaid, voted a tax of 9s. on each hundred acres of the lands aforesaid, and the proprietors of the lands next mentioned viz the lots N°. 28, 16, 17, 20, in the first division in said Mount-Ephraim, and the lots N°. 6, 21, 24, 17, 2, 14, 22, 23, in the second division in said Mount-Ephraim, and the lots, N°. 6, 12, 13, 19, 20, 21, 26, in the third division of said Mount-Ephraim, and the lots N°. 32, 49, in the second division in said Yokum-Town, are delinquent, and have not paid their taxes. And whereas, at a meeting legally warned, holden on the 7th day of April, 1767, the proprietors of the lands aforesaid, voted a tax of 1l. 1s. 1d. on each hundred acres of the land aforesaid, and the proprietors of the lands next mentioned, viz. N°. 4, 32, 68, 9, 28, 17, 18, 62, 20, 21, 22, 23, 24, 27, 30, 31, 39, 43, 44, 46, 47, 48, 49, 53, 55, 58, 59, in the first division of said Mount-Ephraim, and the lots N°. 6, 11, 24, 5, 7, 19, 20, 8, 2, 17, 22, 23, in the second division of said Mount-Ephraim, and the lots N°. 13, 10, 18, 1, 6, 2, 13, 19, 29, 21, 26, 7, in the third division of said Mount-Ephraim, are delinquent, and have not paid their taxes: all which said taxes, have been made and granted by said proprietors, to bring forward the settlement of said propriety town and district. These are therefore to notify the proprietors of the several lots aforesaid, so delinquent as aforesaid, that their lots, or such part thereof, as shall be sufficient to pay said taxes, together with all charges in and about the same, will be SOLD by public Vendue, at the dwelling-house of Aaron Sheldon, in said Richmont, on the 21st day of July next, at 10 o'clock in the forenoon, and so from day to day till the whole be SOLD (unless said taxes and charges be paid to John Slosson of said Richmont, Treasurer of said proprietors, before said day of sale) for the purpose aforesaid.

March 21st 1769. Sam. Brown, jun. / John Chamberline, } Assessors.

THE Publick are hereby Notified,

That the Managers of *Faneuil-Hall* LOTTERY have rolled up the Numbers, Blanks and Prizes, and prepared the Boxes for Drawing, which will commence as soon as the Tickets are all disposed of, which will be very soon.—Those who design to be Adventurers, must therefore purchase immediately, or they will be disappointed.

TO BE SOLD.

A good Farm lying in *Sturbridge*, in the County of *Worcester*, within one Mile of the Meeting-House, containing Two Hundred and Ten Acres of very good Land, chiefly under Improvement, with a good Dwelling-House and Barn, and other Outhouses suitable for a Farmer; the mowing and tillage Land extraordinary good. Any Person inclining to purchase said Farm may apply to *John Murray*, Esq; of *Rutland*, who will dispose of the same on reasonable Terms, and give reasonable Time to pay the Money, the Purchaser giving good Security. (thert A)

BOSTON: Printed by T. and J. FLEET.

¶ He was the chief Leader of those who were called Sons of Liberty during the Stamp Act // A vile Slander! ¶ vid. our Charter pa. 1077. Vol. 2 v vid. Farmers Letters pa. 781 Vo. 1.

(d) Molas. Act. pa. 9 — Glass Act. pa. 795. Vol. 1. (e) via Marquess of

Copies of Letters from Governor *Bernard*, &c. to the Earl of *Hillsborough*.

Copy of a Letter from Governor BERNARD *to the Earl of* HILLSBOROUGH, *dated Boston, Nov. 1, 1768.* No. 5.

My LORD,

I Now proceed to conclude my narrative of my endeavours to get quarters for the King's troops until I found myself at the end of my string, and could do nothing more.

On Saturday October 15, General Gage arrived here with his officers to look to the quartering the troops himself.(a) On Monday I called a Council in the morning, and introduced the General. He told them that he was resolved to quarter the two Regiments now here, in Town, and demanded Quarters; and that he should reserve the Barracks at the Castle for the Irish Regiments or such part of them as they would contain; which has since been determined to be only one Regiment. After the General had left the Board, I sat at it until Eight o'Clock at night; two hours after Dinner time excepted. The whole was a scene of Perversion, to avoid their doing any thing towards quartering the Troops, unworthy of such a Body. In the coorse of the Questions I put to them, they denied that they knew of any Building belonging to the Province in the Town of Boston that was proper to be fitted up for Barracks; and they denied that the Manufactory House was such a Building. This was so notoriously contrary to Truth, that some Gentlemen expressed their Concern that it should remain upon the Minutes; and to induce me to consent to its being expunged, a motion was made in writing that the Governor be desired to order the Manufactory House to be cleared of its present Inhabitants that it might be fitted up for the Reception of such part of the two Irish Regiments as could not be accommodated at the Castle Barracks. This was violently opposed, but was carried in the affirmative 6 to 5 (b) Upon this I ordered the former answers to be expunged. This Resolution amounting to an assignment of the Castle Barracks for the Irish Regiments effectually put an End to the Objection before made that no Quarters were due in Town until the Castle Barracks were filled.

The next thing to be done was to clear the Manufactory House, the preventing of which was a great Object of the Sons of Liberty. For this purpose about six or seven Weeks before, when the Report of Troops coming here was first confirmed; all kinds of People were thrust into this Building; and the Workhouse itself was opened, and the People confined there were permitted to go into the Manufactory House. This was admitted to be true in Council by one of the Board who is an Overseer of the Poor and a principal therein. And after the Order of Council was known, several of the Chiefs of the Faction went into the Manufactory House, advised the People there to keep Possession against the Governor's Order, and promised them Support. And when some of them signified their Intention to quit the House, they were that if they quit the House they must quit the Town, for they would be killed if they staid in it.

I had the advice of the best Lawyers that according to the Law and Usage of this Country the Owners of an House occupied by Tenants at Sufferance, or wrongful Possessors might enter by any Means they could and turn them out of Possession without bringing an action. It was also certain that the Governor and Council, when the Assembly was not sitting, were perfect Owners of the Estates belonging to the Province, except for Alienation. Upon these two Principles I appointed the Sheriff and two of his Deputies Bailiffs of the Governor and Council for the purpose of removing the People out of the Manufactory House. The Sheriff was refused admittance; upon which the Chief Justice went with him and advised them to give up the House; He was answered that they had the Opinion of the best — Lawyer in the Province to keep Possession. Upon a third attempt the Sheriff finding a Window open, entered; upon which the People gathered about him and shut him up; he then made a Signal to an Officer without, who brought a Party of Soldiers, who took Possession of the Yard of the Building and relieved the Sheriff from his Confinement. — This occasioned a great Mob to assemble with some of the Chiefs of the Faction, they were very abusive against the Soldiers, but no Mischief was done. They kept the House blockaded all that Day, and best part of the next Day. When some of the Council declaring that it was not intended to use Force, altho' they knew it could not be done without, and the Building not being immediately wanted, the Soldiers were withdrawn on the Evening of the second Day (c) Thus this Building belonging to the Government and assigned by the Governor and Council for his Majesty's Use, is kept filled with the Outcast of the Workhouse and the Scum of the Town to prevent it's being used for the accommodation of the King's Troops.

After this was over there was nothing more to be done with the Council until the Soldiers were billited in the Public Houses as far as they would go. This we knew would never be done; but it must be attempted; and the Council left this Business to me alone without offering their assistance, which in other Cases has been usual. Indeed I did not ask them, as I did not think the Business would be forwarded by my associating them. I therefore summoned all the acting Justices to meet me in the Council. Twelve of them appeared; I acquainted them that the General demanded Quarters for the 2 Regiments according to the Act of Parliament. (d) They desired to take it into Consideration among themselves. I consented, and we parted. Two Justices, two Days after this, attended me with an Answer in writing, whereby the whole Body refused to billet the Soldiers. But these Gentlemen informing me that the Justices had been much influenced by the Argument that the Barracks at the Castle ought to have been first filled, &c. I shewed them the Minutes of the Council whereby the Barracks at the Castle were assigned to the Irish Regiments, and they must be considered as full. This was quite new to them, the Council themselves having overlooked the Effect of their Vote. I gave them a Copy of this Vote, and returned the Answer desiring them to reconsider it. Three Days after the same Gentlemen informed me that they had resolved against billeting the Soldiers, but could not agree upon the Reasons to be assigned for refusing it; but the next Day they gave me an Answer in writing, (a Copy of which is here inclosed) signed by Eight of the Justices; two others were against billeting, and gave other Reasons for their Refusal; two others were for billeting, but declined acting by themselves after so large a Majority of the whole Body had declared for the contrary Opinion.

To shew the futility of these Pretences, I must observe that the Act (e) directs the billeting to be by Constables, Tything Men, Magistrates, and other Civil Officers, and in their Default or Absence by any one Justice of Peace. The usual Construction of this Act has been that Magistrates should grant the Billets, and Constables deliver them; and the latter being Ministerial cannot grant Billets without a Magistrate or Justice ordering them; By Magistrates have been always understood the Magistrates of Corporations, and where a Town is not a Corporation, the Justices are the only Magistrates who are applied to in England, and they deliver the Billets to the Constables, who serve them upon the Public Houses. Now in this Town of Boston there are no Persons come under the Denominations but Justices and Constables. As to the Select-Men to whom the Justices are supposed to refer, they have been declared by themselves, by the Council, and by the Governor to be neither Magistrates, nor Civil Officers; and they certainly are not, for they can neither grant nor execute a Warrant. This I explained fully to the Justices before they gave their final Answer; but to no purpose; they being determined to refuse at all Events. Thus we have an Act of Parliament which is become a great Favourite; for with the comments it has received here it is become in fact An (e) Act to prevent His Majesty's Troops being quartered in the Town of Boston.

Immediately after I held a Council, and informed the Board of the refusal of the Justices to billet the Soldiers. I said that I was now at the end of my Tether; for as they had declared before, that they would adhere to the Act (e) of Parliament, and had refused to act in that liberal way which I thought was their Duty when the King's necessary Service was obstructed, I could propose nothing further to them. For I foresaw that if I proposed to hire and fit up Houses &c. for the Troops, they would answer that it did not become their Business 'till the Public Houses were full. But if any Gentleman thought it was to any purpose to put such a question I was ready to do it: this was declined by Silence. I then informed them that by reason of this general Refusal of Quarters, the General found himself obliged to hire and fit up Houses at the Expence of the Crown for the Reception of the Troops, who now (Oct. 26) especially they who were Encamped, began to feel the want of warm Quarters, and as he thought the Expence would ultimately fall upon the Province, he desired that I would appoint a Commissary to join with and assist his Officers in providing such Houses, especially with regard to the œconomy of the Expence. I therefore desired their Advice and Assistance in making such appointment. This, after a long Debate, was refused, they saying that if they should join in such Appointment it would be admitting that the Province ought to be charged with the Expence; and I could appoint Auditors to examine the Accounts without them. I thereupon put an End to this Business, having been Employed in it from Sept. 19th to Oct. 26th in all 38 Days, without any prospect of doing any thing to purpose, but under an Obligation of trying every Effort before I gave it up.

During this time the General, who foresaw how this Negociation would end, had employed his Officers to hire and fit up Houses for the Troops; so that by the time I had received the definitive Refusal, compleat Quarters were provided for all the Troops. But now another difficulty arose; If the Soldiers should be put into Barracks, tho' provided by the Crown, without the Intervention of a Magistrate, the military officers who placed them there would be chargeable with taking upon them to quarter Soldiers otherwise than by this Act, (e) and being convicted of it by Two Justices of Peace would be Cashiered ipso facto. This Clause was depended upon to oblige the Soldiers to quit the Town after they had found it impracticable to get quarters according to the (e) Act of Parliament, and was part of the Original Plan which I mentioned to your Lordship very early. And it could not be expected that the Justices who had refused to billet the Soldiers would place them in other quarters, for that would be to contradict themselves. I therefore took upon myself to remove that difficulty, and by a Commission, wherein I recited his Majesty's Command to me to take every necessary Step for the accommodation of the said Troops, and the several means by which the Execution of the (e) Act for providing Quarters for the Troops was defeated, and the Obligation I was thereby put under to provide Quarters for the Troops in the best manner I could, I authorized a person therein named, to place the said two Regiments in such Buildings and Houses as could be procured at the Expence of the Crown with the Consent of the Owners. Thus has ended the Business of Quartering the two Regiments. — As for Provision for them at Boston according to the Act of Parliament. (e) I have already shewn how the Order of Council for that purpose was annulled and avoided in the Origination of it. (f) Provision has been made at Castle William by an Order of Council being made that the Provincial Commissary should take care of it. But they have refused to make such an Order for the Troops at Boston; and therefore it is not done nor like to be done.

I am with great Respect, my Lord, your Lordship's most Obedient, and most humble Servant,

FRA. BERNARD.

The Right Honorable The Earl of Hillsborough.

January 27, 1769.

A true Copy
Geo: White
Clerk of the Papers to the House of Commons.

Copy of a Letter from Governor BERNARD *to the Earl of* HILLSBOROUGH, *dated Boston, November 5. 1768.* (Copy)

My LORD,

WHEN I received your Lordship's Letter No. 16. I immediately communicated it to the Lieutenant Governor; and we both agreed in Opinion, that it could not be advisable to lay before the Council any part of it except what related to the providing for the Troops, until the Troops were got into Quarters: as we foresaw that the business of quartering the Troops would occasion a good deal of Trouble and possible some Commotion, and it would not be adviseable to bring on too much Business at once; at least until the Town was a little settled. This Business of quartering your Lordship will observe, kept me employed 'till October 26th, on which day I had summoned a general Council. On this Day I had 19 Counsellors, that is all but 3: I therefore chose this Time to communicate the other Parts of your Lordship's Letter, except what relates to the calling the Assembly, which I had reserved until I had received further Orders about it. I made this Communication by an Extract, which after it was read I left in the Secretary's Hands, that the Gentlemen might peruse it at their Leisure: I cautioned the Secretary against suffering a Copy to be taken, but did not restrain him from permitting it being read. I also gave another Copy of the same Extract to the first Commissioner (g) of the Customs, engaging him to keep it in his own Hands and not let a Copy be taken.

Immediately after I had an Occasion to move a Matter that would shew their Disposition to pay a proper Regard to his Majesty's Commands. The Commissioners (h) had wrote to me, desiring that I would take the Advice of Council whether they might return to Town, and reassume their Functions, with Safety to themselves and Officers. I communicated this Letter to the Council and put the Question to them. This was very embarrassing: If they answered Yea, they would be chargeable with advising the Return of the Commissioners: (i) If they said No, they would contradict all their

(a) Royal Tyler // Vide the other Letters page 831 & 9 vide these Letters answered by the Council page 603 (a) pa. 281. (b) vid. pa. 288 (c) pa. 281. (d) vid. the whole affair Ibid. (e) vid. y^e Act pa. 274. (f) vid. the Act, appointing them pa. 74 (g) vid. y^e Flight pa. 141.

Lee Hutchinson's Letter page 1152, Vol. 4

Lee Hutchinson's Letter page 1152 Vol. 4

Henry Hulton. vid. y^e names pa. 253.

(1) vid. Gov. Hutchinson's Letter page 1152, Vol. I.

Assertions that there was no Occasion for Troops to support the Civil Power.(a) They therefore, for above two Hours together, used all kind of Evasions to avoid giving an Answer. I was told that they were not obliged to give Opinions: I answered that they were obliged to give Advice; and the Question was put, whether they would advise me to assure the Commissioners, that they might return with Safety. At last I was obliged to tell them that if they would not give me an Answer, I would take their Refusal for an Answer in the Negative: For if they could answer in the Affirmative, no Reason could be supposed why they should not give an Answer; and if they could not answer in the affirmative, they must reconcile it with their public Declarations(a) of the Loyalty and Peaceableness of the Town as well as they could. At length I got an Answer, 12 answering in the Affirmative, 5 declining answering because they lived out of Town, and 2 giving written Answers, condemning the Commissioners for going out of the Town, and therefore refusing Advice about their Return, but concluding that all Persons would be safe. In this Council I sat from 11 to 9, two intermediate Hours excepted; and all the Business might have been very well done in an Hour or two by practicable Men.

Before this Council met, I had been informed that some of the Board had been preparing an Address to the General, to remove the Troops from hence, that at this Meeting they might get a great Number of Hands to it. When the Council broke up, I heard some of them making an Appointment to meet there the next Morning. I told them that I understood that they were going on with Business as a Council separately from me; but I cautioned them against proceeding. It was answered that they should not act as a Council but as private Gentlemen. I then desired that they would not give their Meetings the Appearance of a Council, by holding them in the Council Chamber. They met the next Day and settled the Address, (which was very much softened from the first Draught, which I am told was much more virulent against the Commissioners.) It was signed by 15 of the Council, among whom were the 5 who knew not enough of the Town to Vote for the safety of the Commissioners returning, but knew enough to join in an invective against them; 4 refused to sign. It was then presented to the General, who observed to them, that the Resolves of the Town-Meeting were a sufficient Cause for sending Troops here, tho' there had been no Riots: It was answered that they were the Productions of a few imprudent wrong-headed Men. The General replied that they were said to be *unanimiously* resolved in a *full* Town-Meeting(c) The next Monday it appeared in all the public Papers, from whence I send your Lordship the inclosed Copy.

I shall make but few Observations on the Writing, the Intent of it being plain enough.—1. It is well known to your Lordship that this kind of Writings is designed for the People and not for the Persons to whom they are addressed. This is notorious in the present Case: The Gentlemen who moved this Business knew very well that the General could not move the Troops from this Town, if he could have been disposed to do it; because they were sent hither by Order of his Majesty and not placed here by the Discretion of the General. The General himself had told them so, and I had repeated it to them again and again to induce them to assist the Quartering. As therefore they could not expect the Troops would be withdrawn, we must look for another purpose of this Address; and it appears to be, as indeed it is the principal subject of it, the Abuse of the Commissioners.——2. This was surely very ill timed: the very Day after they had been made acquainted with his Majesty's Command and Expectation that the Commissioners should return to Boston and resume their Function, and would return without Resistance and with Safety, to publish a Manifesto against them, which as it had nothing new in it could only serve to revive the popular Prejudices against them, and thereby encourage Resistance, and make their Safety precarious, is unaccountable in Men of this Rank, and inconsistent with their public Professions of their Regard for the King's Service.——3. This is also very unreasonable, it being the Day after the Commissioners had signified their Apprehensions of Danger in returning to Boston, and desired the Advice of the Council concerning it, and the Council had given their Opinion, that they might return with safety. For these Counsellors who had one Day encouraged their coming to Town, the very next Day to issue a Writing under their Hands holding them forth to the People "as Men whose Avarice having smothered in their Breasts every Sentiment of Humanity towards this Province, has impelled them to oppress it to the utmost of their Power," is utterly irreconcileable with my Ideas of Truth, Justice and Humanity, and shocks me the more, as I know that the Wives of two of the Commissioners, who have young Children, did not want to have their Fears increased by this Publication.

It would have been unaccountable how so many Persons of so respectable a Station, and many of them of a respectable Character, could join in signing such a Paper, if we did not consider that in public and popular Proceedings the Leaders are few, and the followers many; and that People called upon to sign Papers frequently act without Consideration, and sometimes against their Judgment. And the Virulence with which the Commissioners have been treated seems to be too violent to be the Effect of public Zeal only, without the Inteference of private Animosity, which at present I cannot take upon me to account for, I can only condemn and lament such Proceedings in a Body for which I have always had and still etain a great Regard.

I am with great Respect, my Lord
your Lordship's most obedient,
and most humble Servant,

The Right Honorable the Earl of Hillsborough. FRA. BERNARD.

January 27. 1769. A true Copy, (1)
GEO. WHITE,
Clerk of the Papers to the House of Commons.

Copy of a Letter from Governor BERNARD *to the Earl of* HILLSBOROUGH, *dated Boston, November* 12. 1768. (1) (*No.* 9.)

My LORD,

AFTER I had communicated your Lordship's Letter to the Council, I considered that some farther Notification of it would be necessary in regard to what related to the preservation of the Peace and the Protection of the Officers of the Revenue, especially as the Commissioners had fixed upon this Week for their return to Boston. A Proclamation was not thought proper, as the Business was in a manner confined to the Town of Boston. I therefore thought of a Letter from myself to the Justices of Boston, and accordingly drew one up, wherein I recited such part of your Lordship's Letter as related to them, and their Business, and thereto added Injunctions and Admonitions of my own. I communicated this to the Council last Wednesday, proposing, if it had their Approbation, to call the Justices together and deliver it to them by Word of Mouth, and then gave them Copies of it. But tho' no Exceptions were taken to particulars the whole was objected to strongly for this Reason; that if they were to consent to this Letter they should appear to approve of the Censures your Lordship has passed upon the Town, which they would not admit it had deserved. I told them that I would not enter into an Argument which might tend to impeach the Truth or Justice of your Lordship's Letter, but I observed that both of them were very defensible, being founded upon notorious Facts, which could not be denied or doubted.

I then proposed another method of informing the Justices; which was to call the Justices together and after reading such part of your Lordship's Letter as related to their Business, to give them a general Admonition concerning their future Conduct. This was objected to, for that an Admonition implied a Censure. This I answered by shewing, that they did really deserve Censure, and by declaring that I would use them tenderly in that Respect. But I found that I should never prevail with the Council to *act* in this Business: that they would not *advise* to any method of notifying, enjoyning or enforcing the Orders contained in your Lordship's Letter; and that I could make nothing of them but *passive* Associates. I proposed therefore that they should meet in the Council the next morning, and I would of my own accord and without their Advice, order the Justices to attend, and would admonish them as I had before proposed. This was at length assented to; though not without one Gentleman's protesting against it. I accordingly the next Day assembled the Justices and in the presence of the Council having caused an Extract of your Lordship's Letter to be read, I entered into a full Explanation of the Nature of their Office and their Duty therein; and avoiding as much as I could censuring them for their former Conduct, I shewed what would be expected of them for the future; and I concluded that if they had a mind to retrieve the Credit of the Town, it was not to be done by denying what was past, but by regulating what was to come: As soon as I had done, a Gentleman of the Council said aloud he liked this very well; and the Justices seemed satisfied with this proceeding; and several of them gave assurances that they would do the best to preserve the good order of the Town.

These two Conferences with the Council passed with good Humour; and in the course of them I had an opportunity to observe upon and lament the Servility, in regard to the People, with which the Business of Council was now done in comparison to what used to be. This was not denied; and one Gentleman said, that he did not now enter the Council Chamber with that free Mind that he used to have: But he liked to be concerned in public Business, and did not chuse to quit his Place in the Council, and therefore must be content to hold it upon such Terms as he could. So fair a Confession deserves not to be passed unnoticed. But I should not trouble your Lordship with such trifling Anecdotes, if they did not seem to me to be the best Method to convey a true Idea of the present State of this Government, and to point out the chief causes of its Decease, and I must myself resort to the cause I am now treating of, to shew why I have not executed the King's Commands in as full a Manner as may be expected from me. But my Lord the Council themselves have for above four Months past taken great pains to shew from whence the Imbicility of this Government arises; and have brought more forcible Arguments, than any one else could have urged, to shew how necessary it is become that the King should have the Council Chamber in his own Hands.* How this can be done may be a Question, the Exigency of it is none.

I am with great Respect my Lord,
Your Lordship's most obedient,
and most humble Servant,

The Right Honorable the Earl of Hillsborough. FRA. BERNARD.

January 27, 1769. A true Copy,
GEO. WHITE,
Clerk of the Papers to the House of Commons.

Governor Bernard's Letter to the Earl of Hillsborough, dated Boston, November 14. 1768.

Boston, Nov. 14. 1768.

My LORD, (1)

I come now to consider that part of my Orders which relates to the reforming the bench of Justices: This is to be done by two Ways, 1, by adding new Justices to the present Bench, either by engaging Gentlemen who are already in the Commission to qualify themselves, or by granting new Commissions to fit Persons who will undertake to Act; 2. by removing such Persons in the Commission who are known to be infected with principles of Disaffection to the constitutional Authority of Parliament. The first of these is practicable in both its Branches; the second is at present absolutely impracticable, and will remain so while the Council make the humouring the People their chief Object.

In regard to the first I have already made some Attempts to engage some Gentlemen now in the Commission to qualify themselves, and shall pursue it; And notwithstanding the Undertaking is very discouraging, I expect I shall have some Success. I have also made an Essay to appoint new Justices who would engage to Act, by naming one very fit Person.‖ It was receiv'd very cooly by the Council, and upon my asking the Reason, I was told he was not popular; I replied that if he had been I should not have named him. As he was allowed to be in every other Respect a most unexceptionable Man, it passed unanimously: but it gave me to know what I must expect if I proposed a Man *who was not Popular* against whom any Exception could be taken. But I shall try soon again.

As for removing Persons for their Opposition to the Authority of Parliament by means of a Council the majority of which has (indirectly at least) avowed the same Principles, and now appears to Act in Concert with that Party from whence the Opposition to Parliament originated, it would be an Attempt contrary to all Rules of Policy and Prudence. It would require to be done by a public Enquiry, which would receive all the Obstruction and embarrassment which the Chicanery of Law could invent; and if after all,

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* See Page 288. ‖ Mr Murray a Scotch Man and very Obnoxious to the People.

* This shews an evident design to overthrow the Constitution. (a) vid. Councils advice page 267. (b) vid. their Flight pa. 141. (c) vid. Resolves pa. 241 § 2. (d) vid. his Answer page 288. § vid. the Act appointing them pa. 741. § their Names, pa. 253. vol. 1.

full proof of Diſaffection to the Authority of Parliament ſhould be made, it would be declared not to be relevant to inſer ſuch a Cenſure. It would be therefore in vain to attempt to puniſh Diſaffection to the Authority of Parliament, until the Criminality is better eſtabliſhed than it is at preſent. To ſupport this Conjecture in what manner the Council would Act in ſuch a Proceeding, I need only refer your Lordſhip to their Conduct and the Papers they have publiſhed within theſe two Months laſt paſt.

And yet, My Lord, I would not inſinuate that we have no fit Objects for ſuch a Cenſure; the Sons of Liberty have not been without Magiſtrates. We have ſeen Juſtices attending at Liberty tree; One to Adminiſter an Oath to the Stamp Maſter, when he was obliged to ſwear that he would not execute his Office, Another to perform the Function of Toaſt Maſter; a third, but lately, to conſult about fortifying the Town; others to make up a Proceſſion of 45 Carriages and 92 Perſons on the 14th of Auguſt laſt. All theſe are included in two Liſts which your Lordſhip has, that of the 5 Selectmen who ſigned the Circular Letter for the Convention, of which all but the firſt are in the Commiſſion, and that of the 8 Juſtices who ſigned the Refuſal to Billet the Soldiers. Now if the Cenſure of theſe Proceedings ſhould produce an Order to me to Superſede the Commiſſions of theſe Gentlemen, It would be a Trial of the Power of the Governor: It ſeems at preſent that the Council would not enable me to execute ſuch an Order.

It is a great Defect in this Government that the King has no Power over the Commiſſions, which are granted in his Name and under his Seal. He can by Order in Council diſallow a Law which has paſſed by the Governor, Council and Houſe of Repreſentatives: But yet he cannot ſupercede a Commiſſion which has been granted by the Governor and Council. And yet the Council of this Province is as much out of the Controul of the King as the Houſe of Repreſentatives is. Wherefore it ſeems as reaſonable that the King ſhould be allowed to correct the Miſtakes of the Governor and Council, as of the Governor, Council and Houſe. As it is, when the Governor has once ſet the King's Seal to a Commiſſion, it is for ever out of the hands of the Crown, and the Perſons who has obtained it may thenceforth defy the King, oppoſe his Laws and inſult his Government and be in no Danger of loſing his Commiſſion. It is rrue, the Governor with the Advice of Council can ſupercede him; but if he acts in a Popular Cauſe, under which Oppoſition to Government finds it eaſy to ſhelter itſelf, the Council, who are themſelves the Creatures of the People, will never join with the Governor in cenſuring *the Overflowings of Liberty*. It may be ſaid that the Governor ſhould take care not to appoint any one whoſe Character is not well known. But the Governor does not perſonally know half of thoſe whom he appoints to Offices: it is not therefore in his Power to guard againſt Impoſition, let him be ever ſo cautious. Beſides a man's political Character often does not appear 'till he is got into an Office and thereby held forth to the Publick: Hence it is not unuſual for a Perſon, who has diſtinguiſhed himſelf in Political Matters, to get himſelf recommended to the Governor, as a Man well diſpoſed to Government; and as ſoon as he has received his Commiſſion to declare for the Party of the Sons of Liberty. The Governor may reſent the Impoſition as he pleaſes; but can't undo what he has done. Thus the Commiſſions of the King like his Cannon upon another occaſion, are turned againſt him.

It would ſerve to remedy this abuſe & ſtrengthen Government if the King was enabled by Order in his Privy Council to ſupercede Commiſſions granted in his Name and under his Seal when they ſhall appear to be granted to improper Perſons or made uſe of for improper purpoſes. This muſt be done by Act of Parliament; and I don't ſee the Impropriety of ſuch an Act; it ſeems to me to be a proper Power to be veſted in the Crown; eſpecially at a time when the Crown wants to be ſtrengthened by all legal means, in this Country. And it ſeems that it would be better to be done by a general Act than a partial one; for ſuch a Power may be wanted in the Royal Governments, notwithſtanding the Controul the King has over the Councils. For it is very poſſible, conſidering the Spirit which now prevails, that even a Royal Council may ſupport a Popular Magiſtrate againſt the Intereſt of the Crown. And if the Colonies ſhould prevail to have the Judges Commiſſions during good behaviour, which ſome of them are now very earneſt about, it might be proper that the King in Council ſhould be empowered to judge and determine upon ſuch Miſbehaviour as would avoid the Commiſſion.

But this will not be neceſſary if the general Inſtructions of granting no Commiſſions but during Pleaſure be continued and obſerved; nor will it be neceſſary that ſuch an Act ſhould be general; It is more wanted in this Government than in all the others together: and even here the Defect would be cured by a Royal Council.

I am with great Reſpect, my Lord, your Lordſhip's moſt Obedient and moſt humble Servant:

FRA. BERNARD.

The Right Honorable
the Earl of Hillſborough.

January 27, 1769. A true Copy, (1)

Geo: White,
Clerk of the Papers to the Houſe of Commons.

Copy of a Letter from Governor Bernard to the Earl of Hillſborough, dated Boſton Nov. 30, 1768.

My Lord, *Boſton, Nov. 30, 1768.*

I Think it proper to inform your Lordſhip that I communicated to the Council that part of your Lordſhip's Letter N°. 19, in which your Lordſhip ſignified his Majeſty's gracious Reception of the Petition of the Council, which I tranſmitted in July laſt, and added, that the Petition with my reaſoning in ſupport of it would have full Conſideration: Upon which Mr. Bowdoin who has all along taken the Lead of the Council in their late extraordinary proceedings, charged me with having miſrepreſented the purpoſe of their Petition, by taking Advantage of an Expreſſion of theirs, "drawing a Revenue from the Colonies," and therefrom inſinuating that their Objection lay not ſo much againſt the raiſing money, as the carrying it out of the Country and not expending it here. And to Juſtify this, he quoted a tranſitory Converſation he had with me on the day of the public Commencement at the College in July laſt. I told him that if the Converſation had made ſuch an impreſſion upon him, it was a pity he had not mentioned it before. Whilſt my Memory could interpoſe in my behalf: That at this diſtance of time 5 months, I could not recollect every trifling Converſation; for ſuch I was aſſured this was from his Report of it. But I could be certain whether I had or had not miſrepreſented their Petition by inſpecting my own Books. And before I looked at them, I could declare that I had not.

My Letter Books were at my Country houſe, where I generally write all my Letters. As ſoon as I got at them, I had the Letter in Queſtion, N°. 11, July 16. copied: And as ſoon as I returned to Town, I read that part of it which related to this Buſineſs to three or four of the Council; and I let two of them and the Secretary read the whole Letter: they were greatly ſurprized to find it ſo very clear of Mr. Bowdoin's charge, at the next Council I produced the Letter and read the whole Paſſage referred to: from whence it appeared that in mentioning the Prayer of their Petition, I uſed their own words without adding a ſingle word of my own: and alſo that the Argument I uſed in behalf of the Prayer went againſt Taxation in general, more than the Diſpoſal of the money: This appeared ſatisfactory to the whole Council except Mr. Bowdoin. But he ſtill perſiſting in juſtifying himſelf mentioned ſomething more of the Converſation referred to which explained the whole, and ſhowed that what I ſaid upon that Occaſion was entirely in Joke. This was confirmed by a Councellor, who recollected that on that day, being a day of Feſtivity, I did joke with ſome of them upon their Petition, to the ſame purpoſe as Mr. Bowdoin quoted, but in Terms that one could not have imagined could have been taken ſeriouſly, and really were quite inoffenſive to every one elſe.

This is a very trifling matter to trouble your Lordſhip with: but it has already been the ſubject of Debates in Council, and Libels in the Newspapers. It would have alſo produced a formal Remonſtrance to your Lordſhip, which I am told was actually prepared by the Gentleman who made the charge, if it had not been prevented by my making Communications which, but for ſaving Trouble to your Lordſhip, I would not have ſubmitted to. But it will vent itſelf in another and more public way; of which I ſhall be able to give your Lordſhip an Account in a few days. Your Lordſhip may depend upon it that my Informations have been and ſhall be dictated by the Spirit of Truth and Candour: but I cannot make Facts other than they are, nor can I excuſe myſelf communicating ſuch Obſervations and Reflections as occur to me, and appear to be material to the Subject. I am with great Reſpect, my Lord,

Your Lordſhips moſt obedient
and moſt humble Servant,
FRA. BERNARD.

The Right Honorable
The Earl of Hillſborough.

January 27. 1769. (1)

A true Copy; Geo. White.
Clerk of the Papers to the Houſe of Commons.

Copy of a Letter from Governor Bernard, to the Earl of Hillſborough, dated Boſton December 5th. 1768.

My Lord, (1) *Boſton, Dec. 5th. 1768.* (3)

THE Council have been for a week paſt, preparing Petitions to the two Houſes of Parliament againſt the American Acts of Revenue, that is, as I underſtand, againſt all the Acts impoſing Port Duties. They ſignified their intention to me, and deſired that I would either join with them or authorize their ſitting for that purpoſe. I reminded them that I had refuſed to be concerned in this buſineſs in July laſt, and the impropriety of this Meaſure was much ſtronger now than then. I added that if they would be adviſed by me, they would not purſue this Intention; which could do no good, and might turn to Evil; that if the Parliament was diſpoſed to indulge the Americans in another Repeal, there were Petitions enough before them to ground it upon; and their Petition at beſt would be but a Makeweight; on the other hand it might contain ſomething that might give Offence, and add to the Ill humour which I feared already prevailed againſt this Province. But all this and more had no Effect: The Movers of this Buſineſs called the Council together ſeparately from the Governor in the Council Chamber according to the new Method, for which they apologized in the Petition. After ſeveral Days Meeting, the Petition was ſettled and approved: Upon which there was a Diſpute how it ſhould be ſigned, whether by every one as private Perſons as in the Addreſs to General Gage, or by the Preſident in the name of the Body; in which latter Caſe they muſt be underſtood to act as the Legiſlative Council, there being no Preſident of the Privy Council but the Governor. However it was reſolved it ſhould be ſigned in the latter way.

As ſoon as I learned it was finiſhed I ſent for Mr. Danforth the Preſident, and deſired to ſee it: he went and procured it for me. I found it was ſigned "in the name and by the order of a Majority of the Council S. Danforth" Mr. Danforth ſaid he was not preſent when this manner of ſigning was reſolved upon; and when he ſat his name to it, he did not ſet the word "Preſident" after his name: this was a poor Excuſe, but ſerves to ſhow how little free Agency there is in a Buſineſs of this kind. He alſo added that if he could get the Council to meet again, he was in hopes they would undo this Buſineſs; for ſeveral of them had ſignified their Diſapprobation of it. But I had no ſuch Expectation; for the Council is brought under ſuch an awe of their Conſtituents by the frequent Removals of the Friends of Government, that there is very little Exerciſe for private Judgment in popular Queſtions.

If by the Majority of the Council, in whoſe name the Preſident is to ſign, they mean a Majority of the whole Board, I cannot conceive that all the Perſons who met at the ſeveral Meetings upon this Occaſion put together amount to the Number 12 which is the Majority of the whole. But if they mean a Majority of thoſe preſent when the Reſolution was formed, it may fall very ſhort of the Majority of the Body: Four Perſons will make a Majority of a Quorum of the Council. In the preſent Caſe I doubt whether the Number of thoſe who really approved of this Meaſure was much more: for it ſeemed to be rather ſubmitted to than joined in. As for the Petition itſelf, it is very lengthy, being ſix folio Pages, but has nothing new in it, nothing I believe, but what is to be found among the Writings of the Houſe of Repreſentatives. It differs from the Petition to the King in this: the latter carefully avoids all Claim of Right againſt the Parliament: this is not ſo clear of it: It has indeed no poſitive Aſſertions of Right, but ſeveral Intimations of it too plain to be unnoticed. This Account is taken from only once reading it, and therefore may not be free from Miſtakes, tho' I believe it is right as to the general Idea.

I am with great Reſpect my Lord,
Your Lordſhip's moſt obedient,
and moſt humble Servant,
FRA. BERNARD.

The Right Honorable
the Earl of Hillsborough.

P. S. Since I wrote the forgoing I have got a Liſt of the Gentlemen who paſſed upon the Petition, Mr. Danforth, Royal, Erving, Bowdoin, Hubbard, Tyler, Pitts, Dexter. Upon November the 30th they agreed upon the Petition to the Lords and Commons to be ſigned by Mr. Danforth as Preſident. Of theſe 8 I have been informed of two who wanted to have it undone, and ſeveral upon another who I dare ſay acquieſced rather than concurred.

January 27. 1769.

A true Copy. Geo: White,
Clerk of the Papers to the Houſe of Commons.

(1) vid. Gov. Hutchinſon's Letter page 11 Vol. 1 pa. 384 Vol. 1

(2) vid pa. 288

& Juſtice Dana, who ſwore A. Oliver // Another Stroke aiming to ſubvert the Conſtitution! vid. pa. 302. Vol. 1 / vid. pa. 215. V vid. pa. 242. — ſee Convention pa. 248 — 264 — 272. = In Particular the Molaſſ. Act pa. 9 — Tea Act pa. 735 Vol. 1. & Turn to the Index to find them.

Copy of a Letter from General GAGE *to the Earl of* HILLSBOROUGH, *dated* Boston, *October* 31. 1768. (No. 3.)

My LORD,

IN my last from New-York, I had the Honor to acquaint your Lordship of my Intention to go to Boston; I arrived here on the 12th Inst. and tho' Lieutenant Colonel Dalrymple had done every Thing in his Power previous to my Arrival to procure Quarters for the two Regiments from Halifax, I found one of those Regiments encamped, and the other lodged in the Market Hall.

I immediately made Application in Person to the Governor in Council, that the Troops might have Quarters in the Public Houses, as far as they could be accommodated therein, and that Orders might be given for that Purpose to the Inferior Magistrates: and that Out-Houses, &c. might be prepared for the remainder; to which I begged a decisive Answer, that I might fall upon Measures to put the Troops under Cover, as the Winter approached.

I soon found, that the Council had put a Construction upon the Mutiny Act for North-America, which rendered it of no Effect, for the Purposes of Marching & Quartering the Troops, viz. "That whatever Place in a Province the "King's Troops should be ordered to, they "could not be Quartered in that Place, 'till all "the Barracks in the Province, however distant "from it, were first filled with Troops;" from thence the Council inferred, that no Quarters could be had in the Town, till the Barracks in Castle Island were filled; and further, that the Business of Quartering did not come properly before them, but in the last Instance, when not only the Barracks in question, but also the Public Houses should be filled with Troops, which belonged to the Magistrates to do, and was an Affair, that did not belong to them; It was in vain to set forth, that the Barracks in Castle Island would be occupied by the Troops expected from Ireland, or to urge the absurdity of a Construction of the Act of Parliament, which annihilated the Act, as it absolutely impeded the March of the Troops thro' the Province, as well as the King's Right to order his Troops to any Town or Village where his Service might require them to be ordered to.

The next Step to be taken was, to make Application to the Magistrates, to quarter the Troops in the Public Houses; and a Question arose, who were the Magistrates? The Select-Men refused being concerned, and declared they were not Magistrates, which was agreed to; and it then became necessary to apply to the Justices of the Peace, the Difficulty then was, to find any of the Justices who would act in the Business of Billeting, and some of them were to be tried, who gave Assurances of their readiness to carry on the King's Service, but said it was hard, that they only should be pitched upon for such an Undertaking, and so become the Objects of public Odium, when there were so many more Justices in the Town, to take their Share of it. This produced a Resolution to assemble all the Justices of the Town, and I attended Governor Bernard to their Meeting, where he required it of them conjunctly, and of each separately, to Billet the Troops in the Public Houses, according to the Act of Parliament: they desired Time to consider of a Measure which they said must be very disagreeable to the People, and might be attended with bad Consequences. After some Days Consideration, they returned for Answer, that the Act did not require them to Quarter Troops, or Words to that Effect.

I relate the above Transactions to your Lordship, in a Summary Way leaving it to Governor Bernard to transmit to your Lordship, the particular Resolves of his Council at their several Meetings on the Subject of providing Quarters, as well as a Copy of the Resolution of the Justices upon the same Subject.

There was no Disappointment in the bad Success of these several Applications; it was known before hand that they would have no Effect; but it was proper to try, to get the Laws enforced. Governor Bernard therefore agreed in the Necessity, of making Preparations to put the Troops under Cover, by hiring of empty Houses, or other Buildings proper for the Purpose, and that a particular Account should be kept of the Expences incurred therein, as also of all Necessaries required in Quartering, that the Governor may require a Reimbursement of the same, from the first Assembly, that shall be Summoned to meet. But as it may be uncertain where the Expence will fall in the End, I have endeavoured to have every Thing prepared, with as much Frugality [illegible] and the King's Barrack Master is here from Halifax with all the spare Bedding, and Utensils in those Stores, and a large Quantity of Coals, carried thither by the Troops from Louisbourg.

The Council after some time, gave Governor Bernard a power over the Barracks at Castle Island as well as over a public Building in the Town, called the Manufactory House. The Barracks are said to have been built to hold one thousand Men, but I find they were only temporary Lodgments for Soldiers during the last War, before they embarked, and the short time they staid, made it immaterial whether they were crowded or not. I find upon examination they will not hold above one Regiment, upon the present Establishment, and that by putting 12 Men in a Room of 18 Feet square. As for the Manufactory House, there are People in it who have been spirited up to maintain Possession, and some Measures were taken, tho' without Effect, to remove them, which occasioned a little Disturbance of no Consequence, and only served to show a most obstinate spirit of Opposition to every measure of Government. When the Regiments arrive from Ireland, one of them will be quartered in the Barracks in Castle Island, and the other must be lodged in the Town, in the same manner as the two Regiments from Halifax.

Castle William remains garrison'd by the Company kept up by the Province, and I find there is a Provincial military Establishment supported there, under the Command of the Governor, of some Use and Emolument to him and the Lieutenant-Governor, upon that account, and not seeing any absolute necessity for it, I have not interfered in any Matters concerning the Fort, or insisted on putting a Garrison of the King's Troops into it. But if the King should incline to make any alteration in the dispositions of his Forces, by stationing one or two Regiments in this Province for the time to come, his Majesty may think it right to put Castle William into the Possession of his own Troops; but as in that Case, I apprehend the Province would grant no Funds to maintain it, the Expence thereof will fall upon the Crown. The Fort may be made to contain two or three Companies of Foot, and a Detachment of the Royal Regiment of Artillery; but as for the Barracks near it, situated on a small Island, where there is not room for Troops to move, and at such a distance from the Town of Boston, they will not answer any design or purpose of stationing Troops there for the service of the Town. And if any Number of Troops should be fixed in this Province, I would take the liberty to propose, that Barracks should be built for them within the Town, on a vacant Spot called Fort-Hill, an advantageous Situation, whereon a Fort formerly stood; and Governor Bernard tells me it belongs to the Crown. A new Fort may hereafter be erected there, if his Majesty's Affairs should require it.

Every Art and Evasion has been tried by the major part of the People of every Degree, to force the Troops to quit the Town for want of Quarters, whilst those, who may have acted or made known their Sentiments in favor of Government, declared they durst not stay in the Town, but must remove with their Families and Effects, if the Troops should leave it. When the Houses were ready to receive the Troops, the Officers were threatned with the Clause of the Mutiny Act against Officers, who presume to take upon themselves to quarter Troops, &c. and to prevent their being put to any Trouble on that account by perverting the Act in that particular, as had been done in so many others, Governor Bernard gave a particular Warrant to a Commissary, against whom no Action could lye, to quarter the Soldiers in the Houses fitted up for their Reception. I would take the liberty, my Lord, to represent, that the Clause in question is by no means calculated for the Circumstances of this Country, where every Man studies Law, and interprets the Laws as suits his Purposes, and where the Measures of Government are opposed by every Evasion and Chicane that can be devised. An Officer of Rank and long Service may be cashiered by the management of two Justices of the Peace, the best of them the Keeper of a paltry Tavern, who shall find Evasions to disobey the Clauses of the Mutiny Act, which they dislike, and to pervert the Sense and Meaning of others to serve their Designs against him, and unhappily it might be found in some Places, that those who should reverse iniquitous Convictions of Justices of the Peace, were no better than the Justices who should have granted the Certificates of Conviction. I troubled his Majesty's Secretary at War some time ago with some very unwarrantable Proceedings against an Officer on account of the Clause in question, which happened to the Southward.

After other Methods had been tried to get the Troops away, I received an Address from a number of Gentlemen Members of the Council, in which they aim at justifying the People against many Misrepresentations of their Conduct, blaming the Commissioners of his Majesty's Customs, and begging the Troops may be withdrawn from the Town. I have the honor to transmit your Lordship the Address and Answer thereto.

Those who would justify or rather palliate the Proceedings of the People here, complain, that they have been grossly misrepresented, and every little Disturbance that has happened, been magnified into dangerous Riots; that the Disturbance in March was trifling, that of the 10th of June was occasioned solely by the Imprudence of the Commissioners; they excuse the Resolves made at the Town Meetings, by attributing them only to the extravagance of a few mad People, and aver that the Convention was called with no other Intent, than to take proper Measures, to preserve the Peace and Tranquility of the Province.

I am to observe upon the above, that according to the best Information I have been able to procure, the Disturbance in March was trifling, that considering what had happened respecting Seizures, the Commissioners of the Customs had Reason to act as they did, respecting the Seizure which occasioned the Riots on the 10th of June which was considerable; and tho' I do not find that they were, at that time personally attacked, yet the Assault upon some of their Officers, and the Threats daily thrown out against themselves was certainly a sufficient Reason to make them apprehensive of Danger to their own Persons. Whether any harm would have actually happened to them, had they remained in the Town, it is not possible to judge. With respect to the Resolves procured by some mad People at the Town Meetings, those mad People have governed the Town and influenced the Province, a very long Time, and after publishing their very dangerous Resolves, in the Town Meeting of the 13th of September last, carried the Motion for convening Deputies from the several Towns; and the Deputies convened accordingly. I shall only observe on this that their Intentions were suspicious, and that I am happy, the Troops from Halifax arrived at the Time they did.

The Commissioners of the Customs are still in Castle William, and upon being asked about their return to Boston, one of them said, there were Troops now to support them, but desired to know if there was any, or what Civil Officer, who would undertake, to ask the Assistance of the Troops, if there should be Occasion for it. The Governor and Lieutenant Governor were present, but neither could be answerable that any Civil Officer would undertake it.

Your Lordship will naturally imagine that since the Troops are here to support the Dignity of Government, and a due Execution of the Laws that the powers of Government are reverted into the hands, where the Constitution has placed them, and that the Civil Officers would immediately avail themselves of so good an Opportunity to restore Affairs to their proper Order, and put the Laws in Execution, against those who should dare to violate them; This is not yet the Case, and it is plainly seen even amongst the few Magistrates, of whom it is said, that they have a real Wish, and desire to support Government, and do their Duty, that there is a fear of acting contrary to the general Sentiments of their Fellow Citizens, and a desire to maintain a certain degree of Popularity amongst them, which prevents them from being particular in the Execution of their Offices. All now hoped for is, that things being in a more quiet state than they were, the violent Temper of the People will abate in a little time, and their Minds be more composed, when the Magistrates may do their Duty with less fear of becoming obnoxious to the People, the Town has been under a kind of Democratical Despotism for a considerable time, and it has not been safe for People to act, or speak contrary to the Sentiments of the ruling Demagogues; and surprizing as it may appear, those Fears are not yet annihilated.

If it is asked, why the Governor does not turn all the Justices of Peace out of Commission, and put others in, who will do their Duty? It is answered, that the Governor can neither appoint Justices, or turn them out, but by consent of Council; and that the Council opposes every thing proposed to the Governor, for the Service of Government, that is unpopular.

From what has been said, Your Lordship will conclude, that there is no Government in Boston, there is in truth very little at present, and the Constitution of this Province leans so much to the Side of Democracy, that the Governor has not the power to remedy the Disorders which happen in it.

I have the Honour to be with the greatest Respect, Regard and Esteem my Lord, Your Lordship's most Obedient & most Humble Servant,

THO. GAGE.

q vid. pa. 263 A vid Mutiny act page 274. & vid. page 251. see the Council vote page 288. (a) vid. page 281. vid. page 288. (b) vid. pa. 49. (c) vid. page 141. (d) vid pa. 146. —241. —242. (e) vid Convention pa. 248. —264. —272. (f) vid their Flight pa. 151. (g) vid. Act appointing Commissioners & their names pa. 748. Vol. I. pa. 253

q Answered for Hillsborough page 908

A Notorious Falshood! & Another gross Falshood, the Town never was more at Peace then when He resided here!
q vide Answer of y Town of Boston page 1001. &c.